

UNOFFICIAL VERSION

This is a draft version of the Senate Journal and is UNOFFICIAL until formal adoption.

TUESDAY, APRIL 24, 2018

SEVENTY-SIXTH LEGISLATIVE DAY

CALL TO ORDER

The Senate met at 1:30 p.m., and was called to order by Mr. Speaker McNally.

PRAYER

The proceedings were opened with prayer by Senator Bailey.

PLEDGE OF ALLEGIANCE

Senator Bailey led the Senate in the Pledge of Allegiance to the Flag.

SALUTE TO THE FLAG OF TENNESSEE

Senator Bailey led the Senate in the Salute to the Flag of Tennessee.

ROLL CALL

The roll call was taken with the following results:

Present 33

Senators present were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--33.

STANDING COMMITTEE REPORTS

FINANCE, WAYS AND MEANS

MR. SPEAKER: Your Committee on Finance, Ways and Means begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 1288, 1751, 1974, 1989 with amendment, 2051 with amendment, 2056, 2059 with amendment and 2220; Senate Joint Resolution No. 530; and Senate Resolution No. 154.

WATSON, Chairperson
April 24, 2018

The Speaker announced that he had referred Senate Bills Nos. 1288, 1751, 1974, 1989 with amendment, 2051 with amendment, 2056, 2059 with amendment and 2220; Senate Joint Resolution No. 530; and Senate Resolution No. 154 to the Committee on Calendar.

EDUCATION

MR. SPEAKER: Your Committee on Education begs leave to report that we have carefully considered and recommend for passage: Senate Joint Resolutions Nos. 975, 976 and 977.

GRESHAM, Chairperson
April 24, 2018

TUESDAY, APRIL 24, 2018 -- 76TH LEGISLATIVE DAY

The Speaker announced that he had referred Senate Joint Resolutions Nos. 975, 976 and 977 to the Committee on Calendar.

PRESENTATION

Senators Harper, Dickerson, Haile, Tate and Yarbrow presented **Senate Joint Resolution No. 978** to Mr. James Shaw, Jr.

MOTION

Senator Norris moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **House Bills Nos. 521, 955, 1462, 1572, 1574, 1846, 2132, 2134, 2159, 2181, 2326, 2371, 2626 and 2723** be passed on first consideration, which motion prevailed.

HOUSE BILLS ON FIRST CONSIDERATION

The Speaker announced the following House Bills were transmitted to the Senate and passed first consideration:

House Bill No. 521 -- Education -- As introduced, requires all public schools to place automated external defibrillator (AED) devices in schools; encourages private schools to place AED devices in schools. Amends TCA Title 49 and Title 68, Chapter 140, Part 4.

House Bill No. 955 -- Local Government, General -- As introduced, increases the authorized annual state contribution made to human resources agencies. Amends TCA Title 13, Chapter 26.

House Bill No. 1462 -- Budget Procedures -- As introduced, requires that estimates of the state funding board be adopted by a majority vote; requires that governor's recommended budget be based on the midpoint of the revenue range adopted by the funding board; reserves an amount equal to .2 percent of estimated total taxes using the midpoint of the revenue range for legislative priorities; allocates funds reserved for legislative priorities. Amends TCA Title 3; Title 4; Title 9 and Title 67.

House Bill No. 1572 -- Cemeteries -- As introduced, requires proponent of a suit terminating land use as a cemetery to file notice with the historical commission prior to any hearing on the suit; requires the historical commission to establish a historic cemetery advisory committee. Amends TCA Title 4, Chapter 11; Title 46, Chapter 4 and Title 46, Chapter 8.

House Bill No. 1574 -- Historical Sites and Preservation -- As introduced, excludes from coverage under the Tennessee Heritage Protection Act of 2016 memorials under the control of an accredited museum, public library, or public archive in certain circumstances. Amends TCA Section 4-1-412.

House Bill No. 1846 -- Public Health -- As introduced, requires parents, guardians, legal custodians, or caregivers of children attending schools to be notified of unsafe drinking water at schools. Amends TCA Title 68, Chapter 221, Part 7.

House Bill No. 2132 -- Taxes -- As introduced, authorizes the commissioner of revenue to require or authorize a "perfection period" for electronically filed Hall income tax and franchise and excise tax returns. Amends TCA Section 67-2-107; Title 67, Chapter 4, Part 20 and Title 67, Chapter 4, Part 21.

TUESDAY, APRIL 24, 2018 -- 76TH LEGISLATIVE DAY

House Bill No. 2134 -- Adoption -- As introduced, clarifies that the written notice all licensed child-placing agencies and licensed clinical social workers authorized to place children for adoption are required to provide the department of children's services in advance of any proposed changes to fees or charges for services must be provided at least 30 calendar days in advance. Amends TCA Title 36.

House Bill No. 2159 -- Criminal Offenses -- As introduced, enacts the "Elderly and Vulnerable Adult Protection Act of 2018." Amends TCA Title 39; Title 40 and Title 71.

House Bill No. 2181 -- Probation and Parole -- As introduced, establishes framework for the department of correction making four \$500,000 grants to local sheriff departments or probation offices for the purpose of funding reentry programs designed to reduce recidivism and probation revocations. Amends TCA Title 40, Chapter 35, Part 3.

House Bill No. 2326 -- Economic and Community Development, Dept. of -- As introduced, enacts the "Tennessee Rural Hospital Transformation Act of 2018." Amends TCA Title 4; Title 68 and Title 71.

House Bill No. 2371 -- State Government -- As introduced, replaces the secretary of state and department of state with the commissioner of tourist development and department of tourist development on the Tennessee sports hall of fame board of directors and executive committee. Amends TCA Title 4, Chapter 3, Part 54.

House Bill No. 2626 -- Public Records -- As introduced, requires the general assembly to adopt a resolution by constitutional majority in each house in order to obtain TBI investigative records and provides that joint or standing committee can only require TBI records if the general assembly is not in session. Amends TCA Title 10, Chapter 7.

House Bill No. 2723 -- Ashland City -- Subject to local approval, authorizes property owners that do not live in the city to vote in city elections; removes disability for six months as a reason for the vacancy of the office of mayor or councilman; permanently prohibits persons convicted of certain crimes from holding office; creates process for electing a council member if the council is unable to appoint one in the event of a vacancy; authorizes the city to donate or contribute funds in accordance with state law; renames the city clerk and recorder the city recorder; changes provisions related to purchasing and the sale of city property; makes other revisions to the charter. Amends Chapter 121 of the Private Acts of 2004; as amended.

MOTION

Senator Norris moved, pursuant to Rule 21, **Senate Joint Resolutions Nos. 972 through 974**; and **Senate Resolution No. 227** be passed on first consideration and lie over, which motion prevailed.

INTRODUCTION OF RESOLUTIONS

The Speaker announced the following resolutions were filed for introduction. Pursuant to Rule 21, the resolutions lie over.

Senate Joint Resolution No. 972 by Senator Roberts.
Memorials, Academic Achievement -- Brayden Campbell, Valedictorian, Greenbrier High School.

TUESDAY, APRIL 24, 2018 -- 76TH LEGISLATIVE DAY

Senate Joint Resolution No. 973 by Senator Roberts.

Memorials, Academic Achievement -- Michaela Hudson, Salutatorian, Greenbrier High School.

Senate Joint Resolution No. 974 by Senator Bailey.

Naming and Designating -- Designates They Said It Their Way: The Official Tennessee Book of By-Words and Old Sayings as an official state book.

Senate Resolution No. 227 by Senator Lundberg.

Memorials, Interns -- Kiara A. Hester.

MOTION

Senator Norris moved, pursuant to Rule 21, **House Joint Resolutions Nos. 226 and 1281 through 1284; Senate Joint Resolutions Nos. 969 through 971; and Senate Resolutions Nos. 225 and 226** lie over and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

RESOLUTIONS LYING OVER

The Speaker announced the following resolutions passed second consideration and were referred to the appropriate committees or held on the desk, pursuant to Rule 21:

House Joint Resolution No. 226 -- Constitutional Amendments -- Proposes an amendment to Article I, Section 33 of the Constitution of Tennessee to remove the criminal punishment exception from slavery and involuntary servitude prohibition.

The Speaker announced that he had referred House Joint Resolution No. 226 to the Committee on Judiciary.

House Joint Resolution No. 1281 -- Memorials, Academic Achievement -- Sabrina Kimble, Salutatorian, Overton High School.

The Speaker announced that he had referred House Joint Resolution No. 1281 to the Committee on Calendar.

House Joint Resolution No. 1282 -- Memorials, Academic Achievement -- Wilson Wang, Valedictorian, Overton High School.

The Speaker announced that he had referred House Joint Resolution No. 1282 to the Committee on Calendar.

House Joint Resolution No. 1283 -- Memorials, Interns -- Mason Borneman.

The Speaker announced that he had referred House Joint Resolution No. 1283 to the Committee on Calendar.

House Joint Resolution No. 1284 -- Memorials, Interns -- Samantha Beltran.

TUESDAY, APRIL 24, 2018 -- 76TH LEGISLATIVE DAY

The Speaker announced that he had referred House Joint Resolution No. 1284 to the Committee on Calendar.

Senate Joint Resolution No. 969 -- Memorials, Death -- Ronald Lee Ermey.

The Speaker announced that he had referred Senate Joint Resolution No. 969 to the Committee on Calendar.

Senate Joint Resolution No. 970 -- Memorials, Academic Achievement -- Maggie Battilla, Salutatorian, Upperman High School.

The Speaker announced that he had referred Senate Joint Resolution No. 970 to the Committee on Calendar.

Senate Joint Resolution No. 971 -- Memorials, Academic Achievement -- Taylor Jade Hedgecough, Valedictorian, Upperman High School.

The Speaker announced that he had referred Senate Joint Resolution No. 971 to the Committee on Calendar.

Senate Resolution No. 225 -- Memorials, Interns -- Danielle Nicole Knight.

The Speaker announced that he had referred Senate Resolution No. 225 to the Committee on Calendar.

Senate Resolution No. 226 -- Memorials, Public Service -- David Roy Lawrence.

The Speaker announced that he had referred Senate Resolution No. 226 to the Committee on Calendar.

MOTION

Senator Norris moved that **House Bill No. 2106** be recalled from the House, which motion prevailed.

NOTICES

THE TENNESSEE COMMISSION ON CHILDREN AND YOUTH ANNUAL REPORT

The report was received and filed with the Clerk.

MESSAGE FROM THE HOUSE

April 23, 2018

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 1788. The House nonconcurred in Senate Amendment No. 1.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

April 23, 2018

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 1831. The House nonconcurred in Senate Amendment No. 2.

TAMMY LETZLER,
Chief Clerk

MOTION

Senator Yager moved that Rules 32, 33 and 37 be suspended for the introduction and immediate consideration of **Senate Joint Resolution No. 981**, out of order, which motion prevailed.

INTRODUCTION OF RESOLUTION

Senate Joint Resolution No. 981 by Senator Yager.
Memorials, Heroism -- Sgt. Alvin C. York, 100th Anniversary of Medal of Honor.

On motion of Senator Yager, the rules were suspended for the immediate consideration of the resolution.

On motion, **Senate Joint Resolution No. 981** was adopted.

A motion to reconsider was tabled.

MOTION

Senator Lundberg moved that Rule 37 be suspended for the immediate consideration of **Senate Resolution No. 227**, out of order, which motion prevailed.

RESOLUTION LYING OVER

Senate Resolution No. 227 -- Memorials, Interns -- Kiara A. Hester.

On motion of Senator Lundberg, the rules were suspended for the immediate consideration of the resolution.

On motion, **Senate Resolution No. 227** was adopted.

A motion to reconsider was tabled.

MOTION

Senator Roberts moved that Rule 19 and Rule 38 be suspended for the purpose of making and considering the Consent Calendar consisting of the following resolutions: **Senate Joint Resolutions Nos. 888, 964, 965 and 966; Senate Resolutions Nos. 216, 217, 218, 219, 220, 221, 222, 223 and 224; and House Joint Resolutions Nos. 1210, 1254, 1255, 1256, 1257, 1258, 1259, 1260, 1261, 1262, 1263, 1264, 1265, 1266, 1267, 1268, 1269, 1270, 1271, 1272, 1273, 1274, 1275, 1276, 1277, 1278, 1279 and 1280**, which motion prevailed.

CONSENT CALENDAR

Senate Joint Resolution No. 888 -- Memorials, Recognition -- PANDAS Awareness Day, October 9, 2018.

Senate Joint Resolution No. 964 -- Memorials, Death -- Justice Frank F. Drowota III.

Senate Joint Resolution No. 965 -- Memorials, Academic Achievement -- Kendal Aleann Johnson, Valedictorian, Clay County High School.

Senate Joint Resolution No. 966 -- Memorials, Academic Achievement -- Ethan Kyle Fox, Salutatorian, Smith County High School.

Senate Resolution No. 216 -- Memorials, Recognition -- Senate employees of the 110th General Assembly.

Senate Resolution No. 217 -- Memorials, Public Service -- Office of the Chief Clerk of the Senate of the 110th General Assembly.

Senate Resolution No. 218 -- Memorials, Recognition -- Office of Legal Services of the 110th General Assembly.

Senate Resolution No. 219 -- Memorials, Recognition -- Office of Legislative Budget Analysis of the 110th General Assembly.

Senate Resolution No. 220 -- Memorials, Recognition -- Fiscal Review Committee of the 110th General Assembly.

Senate Resolution No. 221 -- Memorials, Public Service -- Office of Legislative Administration of the 110th General Assembly.

Senate Resolution No. 222 -- Memorials, Public Service -- Office of Legislative Information Systems of the 110th General Assembly.

Senate Resolution No. 223 -- Memorials, Public Service -- Office of Facilities Management of the 110th General Assembly.

Senate Resolution No. 224 -- Memorials, Interns -- Adam Yardumian.

House Joint Resolution No. 1210 -- Memorials, Public Service -- Representative Sherry Jones.

House Joint Resolution No. 1254 -- Memorials, Recognition -- Johnson County Rescue Squad, 50th Anniversary.

House Joint Resolution No. 1255 -- Memorials, Academic Achievement -- Leticia Rosas, Valedictorian, Wooddale High School.

House Joint Resolution No. 1256 -- Memorials, Academic Achievement -- Johanna Orozco, Salutatorian, Wooddale High School.

TUESDAY, APRIL 24, 2018 -- 76TH LEGISLATIVE DAY

House Joint Resolution No. 1257 -- Memorials, Recognition -- Johnson County Rescue Squad, 50th Anniversary.

House Joint Resolution No. 1258 -- Memorials, Recognition -- WGU Tennessee, 5th Anniversary.

House Joint Resolution No. 1259 -- Memorials, Death -- Timothy S. Daniels.

House Joint Resolution No. 1260 -- Memorials, Interns -- Grace Boze.

House Joint Resolution No. 1261 -- Memorials, Academic Achievement -- Kihley Bellamy, Top Ten Senior, Volunteer High School.

House Joint Resolution No. 1262 -- Memorials, Academic Achievement -- Kelsey Browning, Top Ten Senior, Volunteer High School.

House Joint Resolution No. 1263 -- Memorials, Academic Achievement -- Sara Burnette, Top Ten Senior, Volunteer High School.

House Joint Resolution No. 1264 -- Memorials, Academic Achievement -- Ethan Galloway, Top Ten Senior, Volunteer High School.

House Joint Resolution No. 1265 -- Memorials, Academic Achievement -- Noah Johnson, Top Ten Senior, Volunteer High School.

House Joint Resolution No. 1266 -- Memorials, Academic Achievement -- Katheryn Luckadoo, Top Ten Senior, Volunteer High School.

House Joint Resolution No. 1267 -- Memorials, Academic Achievement -- Brannon Ragsdale, Top Ten Senior, Volunteer High School.

House Joint Resolution No. 1268 -- Memorials, Academic Achievement -- Colton Short, Top Ten Senior, Volunteer High School.

House Joint Resolution No. 1269 -- Memorials, Academic Achievement -- Susanna Skelton, Top Ten Senior, Volunteer High School.

House Joint Resolution No. 1270 -- Memorials, Academic Achievement -- Trevor Stanley, Top Ten Senior, Volunteer High School.

House Joint Resolution No. 1271 -- Memorials, Academic Achievement -- Kara Stofel, Valedictorian, Culleoka Unit School.

House Joint Resolution No. 1272 -- Memorials, Academic Achievement -- McKinley Stovall, Salutatorian, Culleoka Unit School.

House Joint Resolution No. 1273 -- Memorials, Academic Achievement -- Kathy Jean Jennings, Valedictorian, Clinch High School.

House Joint Resolution No. 1274 -- Memorials, Academic Achievement -- Kortney Lawson, Salutatorian, Clinch High School.

TUESDAY, APRIL 24, 2018 -- 76TH LEGISLATIVE DAY

House Joint Resolution No. 1275 -- Memorials, Recognition -- Food City, 100th Anniversary.

House Joint Resolution No. 1276 -- Memorials, Interns -- Tierra Holloway.

House Joint Resolution No. 1277 -- Memorials, Retirement -- Rhonda Pitts.

House Joint Resolution No. 1278 -- Memorials, Recognition -- Highland Church of Christ, 90th Anniversary.

House Joint Resolution No. 1279 -- Memorials, Interns -- Scarlett Lichterman.

House Joint Resolution No. 1280 -- Memorials, Recognition -- Orpheum Theatre.

Senator Roberts moved that all Senate Joint Resolutions and Senate Resolutions be adopted; and all House Joint Resolutions be concurred in, which motion prevailed by the following vote:

Ayes	33
Noes	0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--33.

A motion to reconsider was tabled.

MOTION

Senator Roberts moved that Rule 19 and Rule 38 be suspended for the purpose of making and considering the Local Bill Consent Calendar consisting of the following bills: **Senate Bills Nos. 2753, 2754, 2756 and 2757**, which motion prevailed.

LOCAL BILL
CONSENT CALENDAR

Senate Bill No. 2753 -- Silerton -- Subject to local approval, rewrites town charter. Amends Chapter 148 of the Private Acts of 1923; as amended.

On motion, Senate Bill No. 2753 was made to conform with **House Bill No. 2721**.

On motion, House Bill No. 2721, on same subject, was substituted for Senate Bill No. 2753.

Senate Bill No. 2754 -- Hornsby -- Subject to local approval, reduces board of mayor and aldermen from seven to five members; deletes all references to town marshal; reduces the number of readings to approve an ordinance from three to two; abolishes the position of treasurer and transfers responsibilities to the recorder; expands authority of the board of mayor and aldermen. Amends Chapter 112 of the Private Acts of 1920; as amended.

On motion, Senate Bill No. 2754 was made to conform with **House Bill No. 2722**.

TUESDAY, APRIL 24, 2018 -- 76TH LEGISLATIVE DAY

On motion, House Bill No. 2722, on same subject, was substituted for Senate Bill No. 2754.

Senate Bill No. 2756 -- Centertown -- Subject to local approval, requires the board of mayor and aldermen to hold regular public meetings as specified by ordinance rather than on the first Monday night of each month. Amends Chapter 606 of the Private Acts of 1951; as amended.

On motion, Senate Bill No. 2756 was made to conform with **House Bill No. 2724**.

On motion, House Bill No. 2724, on same subject, was substituted for Senate Bill No. 2756.

Senate Bill No. 2757 -- Rutherford County -- Subject to local approval, increases the threshold over which public advertisements and sealed competitive bids or proposals are required to an amount not to exceed \$25,000 for nonemergency and nonproprietary purchases. Amends Chapter 17 of the Private Acts of 2017.

On motion, Senate Bill No. 2757 was made to conform with **House Bill No. 2725**.

On motion, House Bill No. 2725, on same subject, was substituted for Senate Bill No. 2757.

Senator Roberts moved that all House Bills be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	33
Noes	0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--33.

A motion to reconsider was tabled.

MOTION

Senator Norris moved that Rule 19 be suspended for the purpose of considering the Message Calendar No.1 and Message Calendar No. 2 next, which motion prevailed.

MOTION

Senator Roberts moved that Rule 19 and Rule 44 be suspended for the purpose of making and considering Message Calendar No. 1 consisting of the following bills: **Senate Bills Nos. 558, 824, 1387, 1882, 2111, 2297 and 2362**, which motion prevailed.

MESSAGE CALENDAR NO. 1

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 558 -- Education -- As introduced, enacts the "Tom Cronan Physical Education Act" to require all public elementary school students to participate in a physical education class at least two times per full calendar week. Amends TCA Title 49, Chapter 1; Title 49, Chapter 2; Title 49, Chapter 5 and Title 49, Chapter 6.

HOUSE AMENDMENT NO. 2

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. This act shall be known and may be cited as the "Tom Cronan Physical Education Act."

SECTION 2. Tennessee Code Annotated, Section 49-6-1021, is amended by adding the following language as new subsections:

(e)(1) In addition to the integration of physical activity into the instructional school day according to subsection (a), each LEA shall require each student in elementary school to participate in a physical education class that meets at least two (2) times per full school week during the school year. The total physical education class time each full school week shall be no less than sixty (60) minutes.

(2) The physical education class shall meet the needs of students of all physical ability levels, including students with disabilities who shall participate in moderate physical activity to the extent appropriate as determined by the Individuals with Disabilities Education Act (20 U.S.C. § 1400 et seq.), Section 504 of the Rehabilitation Act (29 U.S.C. § 701 et seq.), or the student's individualized education program. An accommodation or alternative physical activity shall be provided for children with disabilities, if necessary.

(3) The physical education class required by this subsection (e) shall be taught by a licensed teacher with an endorsement in physical education or by a specialist in physical education.

(4) A student shall be excused from a physical education class for medical reasons. The LEA may require a parent or legal guardian to provide documentation of a student's reason for being excused from the physical education class.

(5)(A) This subsection (e) shall not apply to any county having a population of not less than thirty-eight thousand three hundred (38,300) nor more than thirty-eight thousand four hundred (38,400), according to the 2010 federal census or any subsequent federal census, until the 2021-2022 school year; and

(B) This subsection (e) shall not apply to any county having a population of not less than fifty-seven thousand four hundred (57,400) nor more than fifty-seven thousand five hundred (57,500), according to the 2010 federal census or any subsequent federal census, until the 2021-2022 school year.

(f) Each LEA shall file an annual report with the commissioner of education verifying that the LEA has met the physical education requirements of this section.

SECTION 3. This act shall take effect July 1, 2019, the public welfare requiring it.

TUESDAY, APRIL 24, 2018 -- 76TH LEGISLATIVE DAY

Senator Ketron moved that the Senate concur in House Amendment No. 2 to **Senate Bill No. 558**, which motion prevailed by the following vote:

Ayes 30
Noes 1

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Haile, Harper, Harris, Hensley, Jackson, Johnson, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Watson, Yager, Yarbrow and Mr. Speaker McNally--30.

Senator voting no was: Kelsey--1.

A motion to reconsider was tabled.

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 824 -- Education, Higher -- As introduced, beginning in 2018, requires public higher education institutions to report to the secretary of state the percentage of student disciplinary contested cases in which a faculty member or institution employee sat as the administrative judge during the prior calendar year; the data will be reported to several legislative committees. Amends TCA Title 4, Chapter 5; Title 10, Chapter 7; Title 24 and Title 49.

HOUSE AMENDMENT NO. 2

AMEND by deleting Section 7 and substituting instead the following:

SECTION 7. Tennessee Code Annotated, Title 49, Chapter 7, Part 1, is amended by adding the following language as a new section:

(a) Public institutions of higher education are authorized to appoint the following persons as administrative judges and hearing officers to conduct contested cases under the Uniform Administrative Procedures Act:

(1) A person who is licensed to practice law and who is not employed as an attorney for the institution;

(2) A former state, county, or municipal judge or a former federal judge or magistrate;

(3) An employee of the institution who has been trained to conduct contested cases, including the training in subsection (c), but who does not provide legal representation to the institution; or

(4) An employee of another public institution of higher education who has been trained to conduct contested cases, including the training in subsection (c).

(b) An administrative judge or hearing officer appointed by a public institution of higher education pursuant to subsection (a) is subject to:

(1) The disqualification provisions of § 4-5-302; and

(2) The conflict of interest provisions of § 4-5-303.

(c) No earlier than twelve (12) months prior to hearing a contested case under the Uniform Administrative Procedures Act that involves sexual assault, dating violence, domestic violence, or stalking, an administrative judge or hearing officer shall complete training that satisfies the requirements of Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681), the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 U.S.C. § 1092(f)), and the federal regulations implementing those statutes, as amended.

(d) In lieu of appointing an administrative judge or hearing officer to conduct a contested case pursuant to subsection (a), a public institution of higher education may make a request to the office of the secretary of state to have the contested case heard by an administrative judge or hearing officer employed in the office of the secretary of state pursuant to § 4-5-301(d).

(e) Nothing in this section is intended to prohibit a student charged with a student disciplinary offense, or any other individual who has the right to a contested case hearing, from waiving the right to the hearing of a contested case under the Uniform Administrative Procedures Act; provided, that prior to waiving that right, the individual is informed in writing of the individual's rights under this section.

(f) As used in this section:

(1) "Contested case" has the meaning ascribed to that term by the Uniform Administrative Procedures Act; and

(2) "Uniform Administrative Procedures Act" means the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, and rules of procedure for hearing contested cases promulgated in accordance with applicable rulemaking provisions.

AND FURTHER AMEND by deleting Section 13 and substituting instead the following:

SECTION 13. Tennessee Code Annotated, Section 49-8-115, is amended by deleting the section.

AND FURTHER AMEND by deleting Section 14 and substituting instead the following:

SECTION 14. Tennessee Code Annotated, Section 49-9-110, is amended by deleting the section.

AND FURTHER AMEND by deleting Section 16 and substituting instead the following:

SECTION 16. For the purpose of promulgating rules, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect on July 1, 2018, the public welfare requiring it, and shall apply to all contested cases that are requested on or after July 1, 2018.

TUESDAY, APRIL 24, 2018 -- 76TH LEGISLATIVE DAY

AND FURTHER AMEND by deleting Section 2 and renumbering the subsequent sections accordingly.

Senator Haile moved that the Senate concur in House Amendment No. 2 to **Senate Bill No. 824**, which motion prevailed by the following vote:

Ayes	33
Noes	0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--33.

A motion to reconsider was tabled.

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 1387 -- Health, Dept. of -- As introduced, requires the department to maintain a lupus education and awareness program, which includes conducting a needs assessment, developing a directory of lupus-related services and providers, engaging in public awareness activities, establishing a grant program to educate and train providers on lupus, and reporting annually on the program to the chairs of the health and welfare committee of the senate and the health committee of the house of representatives. Amends TCA Title 4; Title 33; Title 50; Title 56; Title 63 and Title 68.

HOUSE AMENDMENT NO. 2

AMEND by deleting the language "January 31, 2018" from subsection (g) of Section 1 and substituting instead the language "January 31, 2019".

Senator Tate moved that the Senate concur in House Amendment No. 2 to **Senate Bill No. 1387**, which motion prevailed by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Bailey, Bell, Bowling, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 1882 -- Highway Signs -- As introduced, directs the department of transportation to erect signs acknowledging each branch of the military within the segment designated as the "Veterans Memorial Mile" in Knox County; authorizes representatives from each

branch to plant flowers or other installations within the median of the segment for beautification or decorative purposes; authorizes such representatives to maintain such installations. Amends TCA Title 54; Title 55; Chapter 85 of the Public Acts of 2011 and Chapter 641 of the Public Acts of 2012.

HOUSE AMENDMENT NO. 2

AMEND by inserting the following new section immediately preceding the last section and renumbering the subsequent section accordingly:

SECTION _____. This act shall become operative only if the cost of the manufacture and installation of the signs is paid to the department of transportation from nonstate funds within one (1) year of the effective date of this act. The payment shall be made prior to any expenditure by the state for the manufacture or installation of the signs. The department shall return any unused portion of the estimated cost to the person or entity paying for the signs within thirty (30) days of the erection of the signs. If the actual cost exceeds the estimated cost, an amount equal to the difference in the costs shall be remitted to the department in nonstate funds within thirty (30) days of the sponsoring person or entity receiving an itemized invoice of the actual cost from the department.

Senator Briggs moved that the Senate concur in House Amendment No. 2 to **Senate Bill No. 1882**, which motion prevailed by the following vote:

Ayes	33
Noes	0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--33.

A motion to reconsider was tabled.

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 2111 -- Alcoholic Beverages -- As introduced, lowers amount of revenue required from sale of artwork from 90 percent to 80 percent in order for an art gallery to serve wine to patrons. Amends TCA Title 57.

HOUSE AMENDMENT NO. 4

AMEND by inserting the following new section immediately preceding the last section and by renumbering the last section accordingly:

SECTION _____. Tennessee Code Annotated, Title 57, Chapter 3, Part 8, is amended by adding the following new section:

(a) Notwithstanding any law to the contrary, a retail food store wine licensee shall not sell or give away wine on Christmas, Thanksgiving, or Easter.

Senator Niceley moved that the Senate concur in House Amendment No. 4 to **Senate Bill No. 2111**, which motion prevailed by the following vote:

Ayes 30
Noes 1
Present, not voting . . . 1

Senators voting aye were: Bailey, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Reeves, Roberts, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--30.

Senator voting no was: Southerland--1.

Senator present and not voting was: Pody--1.

A motion to reconsider was tabled.

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 2297 -- Fairs -- As introduced, authorizes the dean of the University of Tennessee extension to designate a person to serve in the dean's place on the state fair board. Amends TCA Title 4; Section 5-9-102 and Title 43.

HOUSE AMENDMENT NO. 3

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 4-57-104, is amended by deleting the section and substituting instead the following:

(a) Notwithstanding any other law to the contrary establishing a state fair board, there is hereby created a state fair and exposition commission which shall be composed of the following members to be appointed by the governor:

- (1) The dean of the University of Tennessee extension;
- (2) The president of the Tennessee Farm Bureau;
- (3) The state advisor of the Future Farmers of America;
- (4) The executive director of the Tennessee Association of Fairs; and
- (5) The chair of the Tennessee State Fair Association.

(b) Within sixty (60) days of creation of the commission, the commission members shall establish by rule a method of selecting a chairman for the commission and shall select a chairman. The chairman shall serve a two (2) year term but shall be limited to no more than two (2) consecutive terms. Commission members shall serve on the commission as long as the member holds the position the member held at the time of initial appointment.

SECTION 2. Tennessee Code Annotated, Section 4-57-105(1), is amended by deleting the subdivision and substituting instead the following:

(1) Advise, facilitate, and coordinate with the Tennessee State Fair Association, a not-for-profit corporation, for the purpose of the Tennessee State Fair Association operating, managing, and conducting at least one (1) fair or exposition annually, under the supervision of the commission, with such additional fairs, expositions, or exhibitions as the commission determines are in the general public interest;

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

Senator Haile moved that the Senate concur in House Amendment No. 3 to **Senate Bill No. 2297**, which motion prevailed by the following vote:

Ayes	33
Noes	0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--33.

A motion to reconsider was tabled.

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 2362 -- Health Care -- As introduced, directs the commissioner of health to study issues related to healthcare access and healthcare status of populations affected by the implementation of Chapter 1043 of the Public Acts of 2016; the commissioner shall report the findings and any recommendations arising out of the study to the health committee of the house of representatives and the health and welfare committee of the senate on or before January 15, 2019. Amends TCA Title 4; Title 7; Title 33; Title 53; Title 56; Title 63; Title 68 and Title 71.

HOUSE AMENDMENT NO. 2

AMEND by adding the following as a new section immediately preceding the effective date section and renumbering the effective date section accordingly:

SECTION __. Tennessee Code Annotated, Title 56, Chapter 7, Part 31, is amended by adding the following as a new section:

A pharmacy or pharmacist has the right to provide an insured information regarding the amount of the insured's cost share for a prescription drug. Neither a pharmacy nor a pharmacist shall be penalized by a pharmacy benefits manager for discussing any information described in this section or for selling a lower priced drug to the insured if one is available.

Senator Crowe moved that the Senate concur in House Amendment No. 2 to **Senate Bill No. 2362**, which motion prevailed by the following vote:

Ayes	33
Noes	0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--33.

A motion to reconsider was tabled.

MOTION

Senator Roberts moved that Rule 19 and Rule 44 be suspended for the purpose of making and considering Message Calendar No. 2 consisting of the following bills: **Senate Bills Nos. 1302 and 2025**; and **House Bills Nos. 447, 1832, 1926 and 2301**, which motion prevailed.

MESSAGE CALENDAR NO. 2

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 1302 -- Child Abuse -- As introduced, requires the department of children's services to develop instructional guidelines for child safety training programs for members of professions that frequently deal with children who may be at risk of abuse; requires certain licensing boards to create child safety training programs; requires certain professionals to complete the appropriate child safety training program prior to license renewal. Amends TCA Title 37, Chapter 1, Part 4; Title 49, Chapter 5, Part 1; Title 63, Chapter 23; Title 63, Chapter 6, Part 2; Title 63, Chapter 7, Part 1 and Title 63, Chapter 9.

HOUSE AMENDMENT NO. 6

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 37, Chapter 1, Part 4, is amended by adding the following as a new, appropriately designated section:

(a) By January 1, 2019, the department of children's services shall develop guidelines on the best practices for identifying and reporting signs of child abuse, child sexual abuse, and human trafficking in which the victim is a child. The department of education shall use the guidelines to identify child abuse training programs appropriate for teachers. The programs identified by the department of education must train teachers on the common signs of child abuse, child sexual abuse, and human trafficking in which the victim is a child; how to identify children at risk of abuse, sexual abuse, or human trafficking; maintenance of professional and appropriate relationships with students; and the requirements for reporting suspected child abuse and sexual misconduct.

(b) Beginning with the 2019-2020 school year, each LEA and each public charter school shall ensure its teachers complete a child abuse training program identified by the department of education pursuant to subsection (a), or a training program that meets the guidelines established by the department of children's services pursuant to subsection (a), as part of the teacher's annual in-service training. Each LEA and each public charter school shall annually report its compliance with this section to the department of education.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

Senator Harris moved that the Senate concur in House Amendment No. 6 to **Senate Bill No. 1302**.

Senator Harris moved that **Senate Bill No. 1302** be placed at the heel of Message Calendar No. 2 for today, which motion prevailed.

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 2025 -- Controlled Substances -- As introduced, authorizes a partial fill of a prescription of an opioid. Amends TCA Title 53 and Title 63.

Senator Haile moved that the Senate refuse to recede from its action in nonconcurring in House Amendment No. 1 to **Senate Bill No. 2025**, which motion prevailed.

Senator Haile moved that the Speaker appoint a Conference Committee to meet with a like committee from the House to resolve the differences between the two Bodies on Senate Bill No. 2025, which motion prevailed.

APPOINTMENT OF SELECT COMMITTEE CONFERENCE COMMITTEE ON SENATE BILL NO. 2025

The Speaker announced the appointment of a Conference Committee composed of Senators Haile, Chairperson; Kyle and Reeves to confer with a like committee from the House to resolve the differences of the two Bodies on Senate Bill No. 2025.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 447 -- Alcoholic Beverages -- As introduced, makes ineligible for a certain defense to prosecution a person charged with criminal trespass at a licensed retail package store. Amends TCA Title 57, Chapter 2; Title 57, Chapter 3 and Title 57, Chapter 4.

Senator Dickerson moved that the Senate refuse to recede from its action in adopting Senate Amendment No. 2 to **House Bill No. 447**, which motion prevailed.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 1832 -- Controlled Substances -- As introduced, revises various provisions of law regarding the scheduling of controlled substances and their analogues and derivatives, including updated identifications of drugs categorized in Schedules I-V; authorizes sentence reduction credits for prisoners who successfully complete intensive substance use disorder treatment program. Amends TCA Title 39, Chapter 17, Part 4; Title 41, Chapter 21, Part 2; Title 53 and Title 63.

Senator Yager moved that the Senate refuse to recede from its action in adopting Senate Amendment No. 2 to **House Bill No. 1832**, which motion prevailed.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 1926 -- Liens -- As introduced, increases from \$3.00 to \$5.00 the fee that the register may charge for execution of a marginal release of a lien. Amends TCA Title 8; Title 47; Title 62 and Title 66.

Senator Swann moved that the Senate refuse to recede from its action in adopting Senate Amendment No. 1 to **House Bill No. 1926**, which motion prevailed.

Senator Swann moved that the Senate refuse to recede from its action in adopting Senate Amendment No. 3 to **House Bill No. 1926**, which motion prevailed.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 2301 -- Tort Liability and Reform -- As introduced, declares settlement agreement provisions that have purpose or effect of concealing details relating to claim of sexual harassment or sexual assault as void and unenforceable and contrary to public policy of this state if settlement agreement is entered into by governmental entity; maintains confidentiality of victim's identity. Amends TCA Title 4; Title 5; Title 6; Title 7; Title 9, Chapter 8, Part 3; Title 10; Title 20 and Title 29.

Senator Yarbrow moved to lift from the table a motion to reconsider on **House Bill No. 2301**, as amended, which motion prevailed.

Senator Yarbrow moved that the Senate reconsider its action in passing **House Bill No. 2301**, as amended, which motion prevailed.

Senator Yarbrow moved that the Senate reconsider its action in adopting Senate Amendment No. 2 to **House Bill No. 2301**, as amended, which motion prevailed.

Senator Yarbrow moved that Senate Amendment No. 2 to **House Bill No. 2301** be withdrawn, which motion prevailed.

Thereupon, **House Bill No. 2301** was repassed on third and final consideration by the following vote:

Ayes	30
Noes	0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Green, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--30.

A motion to reconsider was tabled.

FURTHER ACTION ON SENATE BILL NO. 1302, AS AMENDED

Senator Harris moved that the Senate concur in House Amendment No. 6 to **Senate Bill No. 1302**, which motion prevailed by the following vote:

Ayes 32
Noes 0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

CALENDAR NO. 1

Senate Bill No. 2711 -- Criminal Procedure -- As introduced, clarifies that an electronic version is acceptable for the annual compliance report on capital cases submitted by the administrative office of the courts to the chief clerks of the senate and house of representatives and chairs of the appropriate committees. Amends TCA Title 38; Title 39; Title 40; Title 55, Chapter 10, Part 4 and Title 69, Chapter 9.

On motion, Senate Bill No. 2711 was made to conform with **House Bill No. 2110**.

On motion, House Bill No. 2110, on same subject, was substituted for Senate Bill No. 2711.

On motion of Senator Kelsey, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 2110** passed its third and final consideration by the following vote:

Ayes 32
Noes 0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yarbrow and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

House Bill No. 2082 -- Museums -- As introduced, generalizes location of the state museum to Nashville instead of the James K. Polk State Office Building and War Memorial Building. Amends TCA Title 4, Chapter 12, Part 1.

Senator Watson moved to amend as follows:

AMENDMENT NO. 2

AMEND by deleting subsection (b) in Section 1 and substituting instead the following:

(b) The Douglas Henry state museum commission is authorized to name any portion or portions of the museum, but the general assembly retains the right to name the museum building.

TUESDAY, APRIL 24, 2018 -- 76TH LEGISLATIVE DAY

Thereupon, **House Bill No. 2082**, as amended, passed its third and final consideration by the following vote:

Ayes 32
Noes 0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

MR. SPEAKER MCNALLY RELINQUISHES CHAIR

Mr. Speaker McNally relinquished the Chair to Senator Norris.

House Bill No. 2376 -- Education -- As introduced, requires the department of education to transmit its model policy for alternatives to exclusionary discipline practices for students in pre-kindergarten and kindergarten by email to the chairs of the education committees of the senate and the house of representatives when the department disseminates the model policy to the LEAs. Amends TCA Title 49, Chapter 6, Part 30; Title 49, Chapter 6, Part 34 and Title 49, Chapter 6, Part 40.

Senator Lundberg moved to amend as follows:

AMENDMENT NO. 2

AMEND by deleting subdivision (e)(4) from Section 2 and substituting instead the following:

(4)(A) When a student accumulates five (5) days of unexcused absences, the director of schools or attendance supervisor shall serve, or cause to be served, upon the parent, guardian, or other person having control of a child subject to compulsory attendance who is unlawfully absent from school written notice that the child's attendance at school is required by law. The director of schools or attendance supervisor shall send a new notice after each successive accumulation of five (5) unexcused absences.

(B) After the child has accumulated five (5) unexcused absences, and after given adequate time, as determined by director of schools or attendance supervisor, the child's parent, guardian, or other person having control of the child has failed to turn in documentation to excuse those absences, the director of schools or attendance supervisor shall implement the first tier of the progressive truancy intervention requirements as described in § 49-6-3009.

(C) Nothing in this section shall prohibit a local board of education from adopting a truancy intervention plan that includes intervention actions to be taken before those required by this subsection.

AND FURTHER AMEND by deleting the following language from subsection (d) of Section 3:

TUESDAY, APRIL 24, 2018 -- 76TH LEGISLATIVE DAY

Progressive truancy intervention plans adopted by local boards of education pursuant to subsection (c) must be applied prior to referral to juvenile court when a student accumulates five (5) or more unexcused absences, as described in § 49-6-3007(e)(1). Progressive truancy intervention plans must meet the following requirements:

(1) Tier one of the progressive truancy intervention plan must be implemented no later than a student's accumulation of five (5) unexcused absences within a school year and must include, at a minimum:

and substituting instead:

Progressive truancy intervention plans adopted by local boards of education pursuant to subsection (c) must be applied prior to referral to juvenile court as described in § 49-6-3007(e)(1). Progressive truancy intervention plans must meet the following requirements:

(1) Tier one of the progressive truancy intervention plan must include, at a minimum:

AND FURTHER AMEND by deleting subdivision (d)(1)(C) from Section 3 and substituting instead:

(C) Regularly scheduled follow-up meetings, which may be with the student and the parent, guardian, or other person having control of the student to discuss the student's progress;

On motion, Amendment No. 2 was adopted.

Thereupon, **House Bill No. 2376**, as amended, passed its third and final consideration by the following vote:

Ayes	33
Noes	0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--33.

A motion to reconsider was tabled.

Senator Bailey moved that **House Bill No. 2454** be rereferred to the Committee on Calendar, which motion prevailed.

House Joint Resolution No. 37 -- Constitutional Amendments -- Proposes an amendment to the Constitution of Tennessee recognizing that our liberties do not come from governments, but from Almighty God, as amended.

Senator Bowling moved that the Clerk read the resolution, as amended, which motion prevailed.

The Clerk read the resolution, as amended, for the third time.

TUESDAY, APRIL 24, 2018 -- 76TH LEGISLATIVE DAY

Thereupon, Mr. Speaker McNally declared pursuant to Article XI, Section 3, **House Joint Resolution No. 37**, as amended, had been read, for the third time.

Thereupon, **House Joint Resolution No. 37**, as amended, was concurred in by the following vote:

Ayes	25
Noes	1
Present, not voting . . .	1

Senators voting aye were: Bailey, Bell, Bowling, Crowe, Gardenhire, Green, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Lundberg, Niceley, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Watson, Yager and Mr. Speaker McNally--25.

Senator voting no was: Kyle--1.

Senator present and not voting was: Yarbro--1.

A motion to reconsider was tabled.

House Joint Resolution No. 741 -- General Assembly, Statement of Intent or Position -- Expresses strong support for President Trump's proposal to construct a secure border wall and urges Congress to immediately take action to fund the construction.

House Joint Resolution No. 741 was concurred in by the following vote:

Ayes	21
Noes	3
Present, not voting . . .	1

Senators voting aye were: Bailey, Bell, Bowling, Crowe, Gardenhire, Green, Gresham, Haile, Hensley, Jackson, Johnson, Lundberg, Niceley, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Watson and Yager--21.

Senators voting no were: Harris, Kyle and Yarbro--3.

Senator present and not voting was: Harper--1.

A motion to reconsider was tabled.

Senator Harris moved that **Senate Bill No. 2065** be placed at the heel of Calendar No. 1 for today, which motion prevailed.

Senator Johnson moved that **Senate Bill No. 444** be rereferred to the Committee on Calendar, which motion prevailed.

Senate Bill No. 5 -- Judicial Districts -- As introduced, requires the administrative office of the courts to conduct a study two years prior to an eight-year judicial election to determine if there is a need to realign judicial districts and move trial judge positions to areas of population or caseload growth. Amends TCA Title 8, Chapter 14; Title 8, Chapter 7; Title 16; Title 17; Title 18, Chapter 4 and Title 18, Chapter 5.

Senator Johnson declared Rule 13 on **Senate Bill No. 5**.

Senator Lundberg moved that Amendment No. 1 be placed at the heel of the Amendments, which motion prevailed.

Senator Watson moved that Amendment No. 2 be placed at the heel of the Amendments, which motion prevailed.

Senator Watson moved to amend as follows:

AMENDMENT NO. 3

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 16-2-506(16)(A), is amended by adding the following language as a new subdivision:

(iv) Effective September 1, 2018, there is created an additional trial court in the sixteenth judicial district. The type of court, type of judge to preside over the court, and part of court shall be designated as provided in § 16-2-512. The governor shall appoint a person to serve as an additional judge or chancellor, and the person so appointed shall serve in that capacity until September 1, 2020, or until the person's successor is elected and qualified. At the August 2020 general election, the qualified voters of the sixteenth judicial district shall elect an additional judge or chancellor to serve until September 1, 2022, or until the person's successor is elected and qualified. At the August 2022 general election, and every eight (8) years thereafter, the qualified voters of the sixteenth judicial district shall elect an additional judge or chancellor for a full eight-year term.

SECTION 2. Tennessee Code Annotated, Section 16-2-506(19)(A), is amended by adding the following language as a new subdivision:

(vii) Effective September 1, 2018, there is created an additional trial court in the nineteenth judicial district. The type of court, type of judge to preside over the court, and part of court shall be designated as provided in § 16-2-512. The governor shall appoint a person to serve as an additional judge or chancellor, and the person so appointed shall serve in that capacity until September 1, 2020, or until the person's successor is elected and qualified. At the August 2020 general election, the qualified voters of the nineteenth judicial district shall elect an additional judge or chancellor to serve until September 1, 2022, or until the person's successor is elected and qualified. At the August 2022 general election, and every eight (8) years thereafter, the qualified voters of the nineteenth judicial district shall elect an additional judge or chancellor for a full eight-year term.

SECTION 3. Tennessee Code Annotated, Section 16-2-506(21)(A), is amended by designating the existing language as subdivision (i) and adding the following language as new subdivisions:

(ii) Effective September 1, 2018, there is created an additional trial court in the twenty-first judicial district. The type of court, type of judge to preside over the court, and part of court shall be designated as provided in § 16-2-512. The governor shall

appoint a person to serve as an additional judge or chancellor, and the person so appointed shall serve in that capacity until September 1, 2020, or until the person's successor is elected and qualified. At the August 2020 general election, the qualified voters of the twenty-first judicial district shall elect an additional judge or chancellor to serve until September 1, 2022, or until the person's successor is elected and qualified. At the August 2022 general election, and every eight (8) years thereafter, the qualified voters of the twenty-first judicial district shall elect an additional judge or chancellor for a full eight-year term.

(iii) It is the intent of the general assembly by adding an additional trial court in the twenty-first judicial district that the interests of public access to the courts and economy of judicial travel are best served by the presiding judge designating the new trial court created by subdivision (21)(A)(ii) to serve Hickman, Lewis, and Perry counties. Unless otherwise designated by the presiding judge to effectuate the duties enumerated in § 16-2-509(b), the remaining judges shall serve Williamson county.

SECTION 4. Tennessee Code Annotated, Title 16, Chapter 1, is amended by adding the following language as a new section:

(a)(1)(A) By no later than September 1, 2018, the speaker of the senate and the speaker of the house of representatives shall establish an advisory task force to review the composition of Tennessee's current judicial districts codified at § 16-2-506.

(B) The task force shall be composed of eleven (11) members, as follows:

(i) Three (3) current trial court judges, one (1) representing each grand division, appointed by joint action of the speaker of the senate and speaker of the house of representatives;

(ii) Three (3) current district attorneys general, one (1) representing each grand division, appointed by joint action of the speaker of the senate and speaker of the house of representatives;

(iii) Three (3) current district public defenders, one (1) representing each grand division, appointed by the joint action of the speaker of the senate and speaker of the house of representatives; and

(iv) Two (2) citizen members, one (1) appointed by each speaker. The citizen members must reside in different grand divisions.

(C) The speakers shall jointly designate one (1) of the members to serve as chair of the task force.

(2)(A) By no later than December 1, 2019, the task force shall complete its findings and recommend and publish a proposed statewide judicial redistricting plan. The plan shall provide reasonable

and timely access to Tennessee's circuit, chancery, and criminal courts and shall promote the efficient utilization of publicly funded resources allocated for the courts.

(B) Prior to completing its findings and recommending this plan, the task force shall conduct at least one (1) public hearing within each of the three (3) grand divisions and shall receive oral and written testimony from interested organizations and citizens of this state. In addition, the task force shall establish a publicly accessible judicial redistricting task force page on the website of the administrative office of the courts for redistricting-related information, including meeting notices and redistricting plans.

(3) The task force shall deliver a report of its findings, as well as its proposed judicial redistricting plan, to the governor, the speakers of the senate and house of representatives, the judiciary committee of the senate, the civil justice committee of the house of representatives, and the administrative office of the courts at least one (1) week prior to publication of the proposed judicial redistricting plan.

(b)(1) The administrative office of the courts shall provide support services to the task force created under this section.

(2) The members of the task force shall serve without compensation but shall be entitled to reimbursement of any travel expenses incurred. All reimbursement for travel expenses shall be in conformity with the comprehensive state travel regulations as promulgated by the commissioner of finance and administration and approved by the attorney general and reporter.

(3) The task force shall cease to exist upon completion of the task force's report and recommendations.

SECTION 5. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 3 was adopted.

On motion of Senator Kelsey, Amendment No. 1 was withdrawn.

On motion of Senator Watson, Amendment No. 2 was withdrawn.

Thereupon, **Senate Bill No. 5**, as amended, passed its third and final consideration by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Bailey, Bell, Bowling, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg,

TUESDAY, APRIL 24, 2018 -- 76TH LEGISLATIVE DAY

Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

Senate Bill No. 200 -- Criminal Offenses -- As introduced, includes within the offense of especially aggravated stalking a person 18 years of age or older who commits the offense of stalking or aggravated stalking against a victim who is less than 12 years of age at any time during the person's course of conduct. Amends TCA Section 39-17-315.

Senate Bill No. 200 passed its third and final consideration by the following vote:

Ayes	33
Noes	0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--33.

A motion to reconsider was tabled.

MOTION

Senator Stevens moved that **House Bill No. 1020** be considered next, out of order, which motion prevailed.

NOTICES

MESSAGE FROM THE HOUSE

April 23, 2018

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 1020. The House adopted the Conference Committee Report and made it the action of the House.

TAMMY LETZLER,
Chief Clerk

**REPORT OF SELECT COMMITTEE
CONFERENCE COMMITTEE REPORT ON
HOUSE BILL NO. 1020/SENATE BILL NO. 1086**

The report was received and filed with the Clerk.

**REPORT OF SELECT COMMITTEE
CONFERENCE COMMITTEE REPORT ON
HOUSE BILL NO. 1020/SENATE BILL NO. 1086**

The House and Senate Conference Committee appointed pursuant to motions to resolve the differences between the two houses on House Bill No. 1020 (Senate Bill No. 1086) has met and

recommends that the following amendments be deleted: House Amendments Nos. 1, 3, and 10 and Senate Amendments Nos. 2, 3, 7, and 9.

The Committee further recommends that the following amendment be adopted:

AMEND by deleting all language after the caption and substituting instead the following:

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 13, Chapter 7, is amended by adding the following new part:

13-7-601.

This part shall be known and may be cited as the "Short-Term Rental Unit Act."

13-7-602.

As used in this part:

(1) "Effectively prohibit" means a local governing body acts or fails to act in a manner that prevents a property owner from using the owner's property as a short-term rental unit after reasonable compliance with generally applicable local laws;

(2) "Generally applicable local law" means an ordinance, resolution, regulation, rule, or other requirement of any type other than zoning enacted, maintained, or enforced by a local governing body that applies to all property or use of all property and does not apply only to property used as a short-term rental unit;

(3) "Used as a short-term rental unit" means the property was held out to the public for use as a short-term rental unit, and:

(A) For property that began being held out to the public for use as a short-term rental unit within the jurisdiction of a local governing body that required a permit to be issued or an application to be approved pursuant to an ordinance specifically governing short-term rental units prior to using the property as a short-term rental unit, a permit was issued or an application was approved by the local governing body for the property; or

(B) For property that began being held out to the public for use as a short-term rental unit within the jurisdiction of a local governing body that did not require a permit to be issued or an application to be approved pursuant to an ordinance specifically governing short-term rental units, the provider remitted taxes due on renting the unit pursuant to title 67, chapter 6, part 5 for filing periods that cover at least six (6) months within the twelve-month period immediately preceding the later of:

(i) The effective date of this act; or

(ii) The effective date of an ordinance, resolution, regulation, rule, or other requirement by a local governing body having jurisdiction over the property requiring a permit or an application to be approved pursuant to an ordinance specifically governing short-term rental units;

(4) "Local governing body" means the legislative body of a city, municipality, county, or other political subdivision of this state that has authority to enact a zoning ordinance, resolution, regulation, rule, or other requirement of any type regarding land use in its jurisdiction;

(5) "Prohibit" means to forbid or ban the operation of short-term rental units, either permanently or temporarily, within a local governing body's jurisdiction, portion of the local governing body's jurisdiction, or a portion of an owner's property;

(6) "Property" means a tract of land as recorded with the register of deeds office of the county where the property is located;

(7) "Provider" means any person engaged in renting a short-term rental unit and includes an owner of a residential unit that is made available through a vacation lodging service as that term is defined in § 62-13-104;

(8) "Residential dwelling" means a cabin, house, or structure used or designed to be used as an abode or home of a person, family, or household, and includes a single-family dwelling, a portion of a single-family dwelling, or an individual residential dwelling in a multi-dwelling building, such as an apartment building, condominium, cooperative, or timeshare; and

(9) "Short-term rental unit" or "unit" means a residential dwelling that is rented wholly or partially for a fee for a period of less than thirty (30) continuous days and does not include a hotel as defined in § 68-14-302 or a bed and breakfast establishment or a bed and breakfast homestay as those terms are defined in § 68-14-502.

13-7-603.

(a) Except as otherwise provided in subsection (b), an ordinance, resolution, regulation, rule, or other requirement of any type that prohibits, effectively prohibits, or otherwise regulates the use of property as a short-term rental unit shall not apply to property if the property was being used as a short-term rental unit by the owner of the property prior to the enactment of the ordinance, resolution, regulation, rule, or other requirement by the local governing body. The ordinance, resolution, regulation, rule, or other requirement in effect at the time the property began being used as a short-term rental unit is the law that governs the use of the property as a short-term rental unit until the property is sold, transferred, ceases being used as a short-term rental unit for a period of thirty (30) continuous months, or has been in violation of a generally applicable local law three (3) or more separate times as provided by § 13-7-604. For purposes of this subsection (a), an ordinance,

resolution, regulation, rule, or other requirement is in effect at the time it is lawfully enacted by the local governing body and not the time in which it is introduced for consideration by the local governing body.

(b) Notwithstanding subsection (a), an ordinance, resolution, regulation, rule, or other requirement of any type enacted prior to January 1, 2014, that prohibits or effectively prohibits the use of property as a short-term rental unit may apply to any property within a local governing body's jurisdiction, regardless of the property's existing use. However, this subsection (b) applies only to ordinances, resolutions, regulations, rules, or other requirements that expressly limit the period of time a residential dwelling may be rented, and does not apply to ordinances, resolutions, regulations, rules, or other requirements that generally prohibit commercial activity or the renting of residential dwellings to transients.

13-7-604.

(a) Section 13-7-603 does not prevent a local governing body from prohibiting the continued use of property as a short-term rental unit if, as a direct result of the operation of the short-term rental unit, the unit has been in violation of a generally applicable local law three (3) or more separate times, and the provider has no appeal rights remaining for any of the three (3) violations. The burden of proof that a violation of a generally applicable local law was a direct result of the operation of the short-term rental unit is on the local governing body.

(b)(1) The local governing body may authorize short-term rental units through a permitting or application process.

(2) Notwithstanding this part to the contrary, a local governing body that authorizes short-term rental units through a permitting or application process pursuant to subdivision (b)(1) may suspend the continued use of property as provided in § 13-7-603(a) during the time that the unit does not maintain a permit or approved application if the permitting or application requirements are reasonable.

(3) Nothing in this subsection (b) extinguishes a provider's right to continued use of property as a short-term rental unit set out in § 13-7-603(a) unless the property is sold, transferred, ceases being used as a short-term rental unit for a period of thirty (30) continuous months, or has been in violation of a generally applicable local law three (3) or more separate times as provided by subsection (a).

(c) A local governing body that accepts public complaints regarding the operation of short-term rental units in its jurisdiction pursuant to a permitting or application process shall assure that all complainants are notified that any false complaint made against a short-term rental unit provider are punishable as perjury under § 39-16-702.

(d) If a local governing body prohibits, effectively prohibits, suspends, or otherwise regulates property used as a short-term rental unit that is also subject to § 13-7-603(a), the provider may challenge the prohibition,

regulation, suspension, or regulation as in conflict with this part through a civil action or appeal. The circuit or chancery court has jurisdiction of any appeal instituted by a provider pursuant to this subsection (d) and review is de novo.

13-7-605.

Nothing in this part prohibits:

(1) A condominium, co-op, homeowners association, or other similar entity from prohibiting or otherwise restricting an owner of property within the jurisdiction of the condominium, co-op, association, or other similar entity from using the owner's property as a short-term rental unit as provided for in the entity's governing documents;

(2) A lessor, through the terms of a lease agreement, from restricting the use of the leased property as a short-term rental unit; or

(3) A property owner from placing a restrictive covenant or easement on the property that restricts the future use of the property as a short-term rental unit as authorized under existing law.

13-7-606.

This part supersedes any ordinance, resolution, regulation, rule, or other requirement of any type enacted, maintained, or enforced by a local governing body that is in conflict with this part.

SECTION 2. Tennessee Code Annotated, Section 68-14-302(6), is amended by adding the following language to the end of the subdivision:

"hotel" does not include a short-term rental unit, as defined in § 13-7-602;

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

/s/ Senator John Stevens
Senator Steven Dickerson
/s/ Senator Dolores Gresham
/s/ Senator Jack Johnson
/s/ Senator Art Swann

/s/ Representative Cameron Sexton
/s/ Representative Karen D. Camper
/s/ Representative Patsy Hazlewood
/s/ Representative Pat Marsh

Senator Norris declared Rule 13 on **House Bill No. 1020**.

Senator Watson moved for the previous question on **House Bill No. 1020**, which motion prevailed.

Senator Stevens moved that the Conference Committee Report on **House Bill No. 1020/Senate Bill No. 1086** be adopted and made the action of the Senate, which motion prevailed by the following vote:

Ayes 18
Noes 14

TUESDAY, APRIL 24, 2018 -- 76TH LEGISLATIVE DAY

Senators voting aye were: Bailey, Bell, Bowling, Crowe, Green, Gresham, Hensley, Jackson, Johnson, Kelsey, Lundberg, Niceley, Pody, Reeves, Roberts, Stevens, Yager and Mr. Speaker McNally--18.

Senators voting no were: Briggs, Dickerson, Gardenhire, Harper, Harris, Ketron, Kyle, Massey, Norris, Southerland, Swann, Tate, Watson and Yarbrow--14.

A motion to reconsider was tabled.

MOTION

Senator Roberts moved that Rule 19 and Rule 37 be suspended for the purpose of making and considering Calendar No. 1 consisting of the following bills: **Senate Bill No. 2711; House Bills Nos. 2082, 2376 and 2454; House Joint Resolutions Nos. 37 and 741; Senate Bills Nos. 2065, 444, 5, 200, 1109, 1258, 1589, 1629, 1649, 1733, 1865, 2268, 2287, 2332, 2363, 2448, 2498, 2519, 2520, 2621 and 2646; House Joint Resolution No. 1144; House Bill No. 1338; and Senate Bills Nos. 578, 891, 1821, 2149, 2261, 410, 987, 1502, 1894, 1915, 2037, 2119, 2259, 2333, 2622, 2680, 2750 and 1759**, which motion prevailed.

CALENDAR NO. 1

Senate Bill No. 1109 -- Disabled Persons -- As introduced, authorizes department of safety to issue, upon request, special designation on driver and photo identification licenses for persons with developmental disabilities; establishes certain procedures for law enforcement interactions with persons with developmental disabilities. Amends TCA Title 38; Title 40 and Title 55.

On motion of Senator Bailey, Amendment No. 1 was withdrawn.

Senator Watson moved to amend as follows:

AMENDMENT NO. 2

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 55, Chapter 50, Part 3, is amended by adding the following as a new section:

(a) Upon request by a person who has an acquired brain injury, an intellectual disability, or a developmental disability, or by a parent or guardian of a minor, or a conservator of a person with the injury or disability, when the department issues or renews a driver license or photo identification license to the person, the driver license or photo identification license shall have language or a symbol designed by the department, that indicates the person has an acquired brain injury, an intellectual disability, or a developmental disability. The language or symbol shall be displayed clearly on the license.

(b) A person who elects to have language or a symbol indicating an acquired brain injury, an intellectual disability, or a developmental disability on the person's license at the time of issuance, renewal, or reissue shall pay the required license fee, check a box on the application stating the person has an acquired brain injury, an intellectual disability, or a developmental disability, and provide proof of a diagnosis

by a licensed medical doctor, psychiatrist, psychologist or senior psychological examiner, or neurologist of the acquired brain injury, intellectual disability, or developmental disability.

(c) A person who elects to have the acquired brain injury, intellectual disability, or developmental disability designation added to the person's license may opt out of participation at any time. If a change is sought outside the normal renewal schedule, the person shall bear the associated costs, consistent with established fees applicable to reissuance of licenses.

(d) For purposes of this section:

(1) "Acquired brain injury" means an alteration in brain function or other evidence of brain pathology; and

(2) "Developmental disability" and "intellectual disability" have the same meanings as defined in § 33-1-101.

SECTION 2. Tennessee Code Annotated, Title 38, Chapter 3, is amended by adding the following as a new section:

(a) Any law enforcement officer who interacts with a person who is a victim, witness, or suspect, or is otherwise stopped by a law enforcement officer in relation to an offense or violation, and who exhibits characteristics of an acquired brain injury, an intellectual disability, or a developmental disability shall make a good faith effort to immediately contact the parent or guardian of a minor, or a person's conservator regarding the interaction.

(b)(1) A law enforcement officer shall, upon the request of a person diagnosed with an acquired brain injury, an intellectual disability, or a developmental disability or the parent or guardian of a minor, or the person's conservator, make a good faith effort to ensure that a psychiatrist, psychologist, mental health counselor, special education instructor, clinical social worker, or related professional is present at all interviews with the person. The professional must have experience treating, teaching, or assisting patients or clients who have been diagnosed with an acquired brain injury, an intellectual disability, or a developmental disability or must be certified in special education with a concentration focused on persons with an acquired brain injury, an intellectual disability, or a developmental disability.

(2) If the person who has an acquired brain injury, an intellectual disability, or a developmental disability, or if the parent or guardian of a minor or the person's conservator, requests the presence of a professional at an interview, except for expenses related to accommodations mandated by state or federal disability law, the person shall initially be responsible for any costs or fees charged by the professional related thereto. If the person is a victim or witness, the defendant shall reimburse the victim or witness for all expenses related to the attendance of the professional at the interview, in addition to other restitution or penalties provided by law, upon conviction related to the offense involving the victim or witness.

(3) Failure to have a professional present at the time of the interview is not a basis for suppression of the statement or the contents of the interview or for a cause of action against the law enforcement officer or agency.

(4) This subsection (b) applies to a person who is the victim, a suspect, or a defendant formally accused of a crime.

(c) Each law enforcement agency shall ensure that appropriate policies are developed that implement this section and that training is provided to law enforcement officers based on such policies.

(d) For purposes of this section:

(1) "Acquired brain injury" means an alteration in brain function or other evidence of brain pathology; and

(2) "Developmental disability" and "intellectual disability" have the same meanings as defined in § 33-1-101.

SECTION 3. This act shall take effect January 1, 2019, the public welfare requiring it.

On motion, Amendment No. 2 was adopted.

Senator Watson moved to amend as follows:

AMENDMENT NO. 3

AMEND by deleting the effective date section and substituting instead the following:

SECTION _____. This act shall take effect July 1, 2019, the public welfare requiring it.

On motion, Amendment No. 3 was adopted.

Thereupon, **Senate Bill No. 1109**, as amended, passed its third and final consideration by the following vote:

Ayes	31
Noes	0

Senators voting aye were: Bell, Bowling, Briggs, Crowe, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

Senator Norris moved that **Senate Bill No. 1258** be moved five places down on the Calendar No. 1 for today, which motion prevailed.

TUESDAY, APRIL 24, 2018 -- 76TH LEGISLATIVE DAY

Senate Bill No. 1589 -- Budget Procedures -- As introduced, requires that estimates of the state funding board be adopted by a majority vote; requires that governor's recommended budget be based on the midpoint of the revenue range adopted by the funding board; reserves an amount equal to .2 percent of estimated total taxes using the midpoint of the revenue range for legislative priorities; allocates funds reserved for legislative priorities. Amends TCA Title 3; Title 4; Title 9 and Title 67.

On motion, Senate Bill No. 1589 was made to conform with **House Bill No. 1462**.

On motion, House Bill No. 1462, on same subject, was substituted for Senate Bill No. 1589.

On motion of Senator Watson, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 1462** passed its third and final consideration by the following vote:

Ayes	28
Noes	0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager and Mr. Speaker McNally--28.

A motion to reconsider was tabled.

MOTION

Senator Norris moved that Rule 8 be suspended for the purpose of allowing the Senate to eat during Session, which motion prevailed.

SPEAKER RESUMES CHAIR

Mr. Speaker McNally resumed the Chair.

CALENDAR NO. 1

Senate Bill No. 1629 -- Education -- As introduced, requires the state board of education to report annually the number of public and private teacher training institutions that, as a result of their students' scores on the state teachers examination, are placed on temporary probation, have their certifications revoked, or regain certification; requires the state board to file the report with the education committee of the senate and the education administration and planning committee of the house of representatives no later than December 31 of each year. Amends TCA Title 49, Chapter 5, Part 56.

On motion, Senate Bill No. 1629 was made to conform with **House Bill No. 1694**.

On motion, House Bill No. 1694, on same subject, was substituted for Senate Bill No. 1629.

Senator Gresham moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 5, Part 56, is amended by adding the following language as a new section:

(a) If a teacher, in the teacher's first year of service as a teacher of record, receives a score of "below expectations" or "significantly below expectations" on the teacher's overall evaluation, then the director of schools, or the director's designee, may recommend the teacher for remediation.

(b) If a director of schools, or the director's designee, recommends a teacher for remediation pursuant to subsection (a), then the director shall notify the institution of higher education at which the teacher completed a state-board-of-education approved teacher preparation program that the teacher has been recommended for remediation.

(c) A teacher recommended for remediation pursuant to subsection (a) shall be notified by the state-board-of-education approved teacher preparation program that the teacher completed that remediation is available and offer such remediation to the teacher at no cost. The remediation may be provided in person, remotely, or online at the discretion of the institution.

(d) Each institution of higher education that operates a state-board-of-education approved teacher preparation program shall collaborate with a primary partnership LEA in designing remediation opportunities.

(e) This section shall not apply to a teacher participating in a job-embedded program or to a teacher teaching outside the teacher's endorsement areas.

SECTION 2. Tennessee Code Annotated, Title 49, Chapter 5, Part 56, is amended by adding the following language as a new section:

(a) Each state-board-of-education approved teacher preparation program shall report for each school year the number of its program completers who, in the completer's first year of service as a teacher of record, received a score of "below expectations" or "significantly below expectations" on the completer's overall evaluation. The report shall be filed with the Tennessee higher education commission, the state board of education, and the chairs of the education committees of the senate and house of representatives. The state board of education may include this information in its annual teacher preparation report card prepared pursuant to § 49-5-108.

(b) Notwithstanding subsection (a), if a state-board-of-education approved teacher preparation program reports, for any school year, no more than ten (10) program completers who, in the completer's first year of service as a teacher of record, receive a score of "below expectations" or "significantly below expectations" on the completer's overall evaluation, then that data shall not be made publicly available in order to safeguard the privacy of individual teacher data.

(c) The general assembly encourages each state-board-of-education approved teacher preparation program to collaborate with the program's primary partnership local education agencies to support its program completers who are in the completers' first year of service as a teacher of record in kindergarten through grade twelve (K-12) schools.

SECTION 3. Tennessee Code Annotated, Section 49-5-5604, is amended by deleting the section and substituting instead the following:

In order to gain experience in a school and demonstrate readiness for teaching, educator preparation providers shall require clinical experiences, including field experiences and clinical practice, as defined by the state board of education. During the clinical practice, each candidate shall be assigned to an effective educator for guidance, evaluation, and instruction.

SECTION 4. Tennessee Code Annotated, Section 49-5-5607, is amended by deleting the section and substituting instead the following:

(a) The state board of education shall review the scores on the state teachers examination from each public and private teacher training institution. Any institution that had thirty percent (30%) or more of its students fail the examination in the previous year shall be informed and placed on probationary status. Any institution that has thirty percent (30%) or more of its students fail in two (2) consecutive years shall have its state approval revoked by the state board of education.

(b) The department of education shall develop annual performance reports for all approved educator preparation providers.

(c) The state board of education shall promulgate rules necessary to effectuate this section. The rules shall be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 5. Tennessee Code Annotated, Section 49-5-5631(d), is amended by deleting the language "The state-recognized" and substituting instead the word "Primary".

SECTION 6. This act shall take effect January 1, 2019, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Senator Watson moved to amend as follows:

AMENDMENT NO. 2

AMEND by adding the following new section immediately preceding the last section and renumbering the remaining section accordingly:

SECTION __. Each public higher education institution to which this act applies shall utilize existing resources to implement the provisions of this act.

TUESDAY, APRIL 24, 2018 -- 76TH LEGISLATIVE DAY

On motion, Amendment No. 2 was adopted.

Thereupon, **House Bill No. 1694**, as amended, passed its third and final consideration by the following vote:

Ayes	30
Noes	0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Gardenhire, Green, Gresham, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--30.

A motion to reconsider was tabled.

Senate Bill No. 1649 -- Education, Curriculum -- As introduced, establishes liability framework for employers that accept or employ students receiving a secondary education to participate in work-based learning coordinated through the student's LEA; creates franchise and excise tax credit for taxpayers employing work-based learning students. Amends TCA Title 49; Title 50, Chapter 6 and Title 67.

Senator Gresham moved that Amendment No. 1 be placed behind Amendment No. 2, which motion prevailed.

Senator Watson moved to amend as follows:

AMENDMENT NO. 2

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 11, Part 1, is amended by adding the following as a new section:

(a) An employer that accepts or employs a student who is participating in work-based learning coordinated through the student's LEA or a state institution of higher education, including, but not limited to, Tennessee colleges of applied technology:

(1) Shall not be liable for actions relating to that student unless the employer acted willfully or with gross negligence; and

(2) May elect to provide workers' compensation insurance coverage to compensate a participating student for any injury that is covered under the Workers' Compensation Law, compiled in title 50, chapter 6. Notwithstanding subdivision (a)(1), if an employer elects to provide workers' compensation insurance coverage pursuant to this subdivision (a)(2):

(A) The coverage shall serve as the participating student's exclusive remedy for any compensable injury that is covered under the Workers' Compensation Law; and

(B) The employer shall not disclaim the participating student's eligibility for such coverage.

(b) An LEA or state institution of higher education that coordinates work-based learning for students shall maintain liability insurance coverage for all participating students. If an employer elects to provide workers' compensation insurance coverage to a participating student pursuant to subdivision (a)(2), then the LEA or state institution of higher education shall maintain liability insurance coverage to compensate the participating student for any injury that is not covered under the Workers' Compensation Law.

(c) For purposes of this section, an employer shall not be prohibited from employing a student who is under the age of eighteen (18); provided, that the employer is in compliance with state and federal law.

SECTION 2. Tennessee Code Annotated, Title 49, Chapter 11, is amended by adding the following as a new part:

49-11-901. As used in this part:

(1) "Department" means the department of economic and community development;

(2) "Grant" means a qualified work-based learning student grant issued pursuant to this part;

(3) "Grant fund" means the qualified work-based learning student grant fund established by § 49-11-902(b);

(4) "Program operator" means a nonprofit entity that has entered into an agreement with the department to administer the program established by this part; and

(5) "Qualified work-based learning student" means a student who:

(A) Is enrolled in a secondary or postsecondary work-based learning course coordinated through the student's LEA or a state institution of higher education, including, but not limited to, Tennessee colleges of applied technology;

(B) Is receiving academic credit or credit toward completion of a career and technical education program for the work-based learning course;

(C) Is performing the duties associated with the work-based learning course in this state; and

(D) Is supervised by a teacher, faculty member, or staff member of the LEA or state institution of higher education.

49-11-902.

(a) There is established a qualified work-based learning student grant program.

(b) There is created a separate fund within the general fund to be known as the qualified work-based learning student grant fund.

(c) The grant fund is composed of:

(1) Funds specifically appropriated by the general assembly for the grant fund; and

(2) Gifts, grants, and other donations received for the grant fund.

(d) Moneys in the grant fund shall be invested by the state treasurer for the benefit of the grant fund pursuant to § 9-4-603. Interest accruing on investments and deposits of the grant fund shall be returned to the grant fund and remain a part of the grant fund.

(e) Any unencumbered funds and any unexpended balance of the grant fund remaining at the end of any fiscal year shall not revert to the general fund, but shall be carried forward until expended in accordance with this section.

(f) Moneys in the grant fund may be expended only with the approval of the department and in accordance with this section.

(g) The department shall select a program operator to administer the program established by this part and shall issue a grant from funds available in the qualified work-based learning student grant fund to the program operator selected by the department.

49-11-903.

Any employer that accepts or employs a qualified work-based learning student may apply to the program operator for a grant in a manner determined by the program operator.

49-11-904.

(a) The grant amount allowed under this part shall be limited to five thousand dollars (\$5,000) per employer in any calendar year.

(b) The total amount of grants provided to employers under this part shall not exceed one million dollars (\$1,000,000) for any calendar year.

49-11-905.

An employer must submit an application, in a form prescribed by the program operator, along with any supporting documentation required by the program operator, by July 15 following the calendar year in which the employer accepted or employed a

qualified work-based learning student. No grant shall be allowed under this part to an employer that fails to submit an application by the July 15 deadline. By September 15 following the July 15 deadline established in this section the program operator shall notify the employer of the amount of the grant allowed under this part.

49-11-906.

The department may promulgate rules to effectuate the purposes of this act in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

49-11-907.

The program operator may establish an application fee sufficient to offset the costs of administering this part, subject to approval by the department.

49-11-908.

As a condition of receiving funds from the department pursuant to this part, the program operator must agree to submit to audits by the comptroller of the treasury.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 2 was adopted.

On motion of Senator Gresham, Amendment No. 1 was withdrawn.

Thereupon, **Senate Bill No. 1649**, as amended, passed its third and final consideration by the following vote:

Ayes	31
Noes	0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

Senator Bell moved that **Senate Bill No. 1733** be placed at the heel of the Calendar No. 2 for today, which motion prevailed.

Senate Bill No. 1258 -- Pharmacy, Pharmacists -- As introduced, adds to definition of "device" in the Tennessee Pharmacy Practice Act of 1996 the requirement that a device be used to administer a prescription drug. Amends TCA Title 63, Chapter 10.

On motion, Senate Bill No. 1258 was made to conform with **House Bill No. 630**.

TUESDAY, APRIL 24, 2018 -- 76TH LEGISLATIVE DAY

On motion, House Bill No. 630, on same subject, was substituted for Senate Bill No. 1258.

On motion of Senator Crowe, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 630** passed its third and final consideration by the following vote:

Ayes	30
Noes	0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Gardenhire, Green, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--30.

A motion to reconsider was tabled.

Senate Bill No. 1865 -- Probation and Parole -- As introduced, establishes framework for the department of correction making four \$500,000 grants to local sheriff departments or probation offices for the purpose of funding reentry programs designed to reduce recidivism and probation revocations. Amends TCA Title 40, Chapter 35, Part 3.

On motion, Senate Bill No. 1865 was made to conform with **House Bill No. 2181**.

On motion, House Bill No. 2181, on same subject, was substituted for Senate Bill No. 1865.

On motion of Senator Watson, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 2181** passed its third and final consideration by the following vote:

Ayes	28
Noes	0

Senators voting aye were: Bailey, Bowling, Briggs, Crowe, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Pody, Reeves, Roberts, Stevens, Swann, Tate, Yager, Yarbrow and Mr. Speaker McNally--28.

A motion to reconsider was tabled.

Senator Yager moved that **Senate Bill No. 2268** be moved five places down on the Calendar No. 1 for today, which motion prevailed.

Senator Bell moved that **Senate Bill No. 2287** be moved five places down on the Calendar No. 1 for today, which motion prevailed.

Senator Green moved that **Senate Bill No. 2332** be placed at the heel of the Calendar No. 2 for today, which motion prevailed.

Senate Bill No. 2363 -- Physicians and Surgeons -- As introduced, clarifies that physicians can accept barter of goods or services as payment for healthcare services. Amends TCA Title 63.

TUESDAY, APRIL 24, 2018 -- 76TH LEGISLATIVE DAY

On motion, Senate Bill No. 2363 was made to conform with **House Bill No. 1728**.

On motion, House Bill No. 1728, on same subject, was substituted for Senate Bill No. 2363.

House Bill No. 1728 passed its third and final consideration by the following vote:

Ayes	31
Noes	0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

Senate Bill No. 2448 -- Veterans -- As introduced, lowers from \$610 to \$300 the maximum fee for the interment of an eligible veteran's spouse. Amends TCA Title 46, Chapter 6.

Senate Bill No. 2448 passed its third and final consideration by the following vote:

Ayes	31
Noes	0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Gardenhire, Green, Gresham, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

Senate Bill No. 2498 -- Medical Occupations -- As introduced, enacts the "Tennessee Ultrasound Sonographer Practice Act." Amends TCA Title 4, Chapter 29, Part 2; Title 63 and Title 68.

On motion, Senate Bill No. 2498 was made to conform with **House Bill No. 2321**.

On motion, House Bill No. 2321, on same subject, was substituted for Senate Bill No. 2498.

On motion of Senator Crowe, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 2321** passed its third and final consideration by the following vote:

Ayes	30
Noes	0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg,

TUESDAY, APRIL 24, 2018 -- 76TH LEGISLATIVE DAY

Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Yager and Mr. Speaker McNally--30.

A motion to reconsider was tabled.

Senate Bill No. 2268 -- Adoption -- As introduced, clarifies that the written notice all licensed child-placing agencies and licensed clinical social workers authorized to place children for adoption are required to provide the department of children's services in advance of any proposed changes to fees or charges for services must be provided at least 30 calendar days in advance. Amends TCA Title 36.

On motion, Senate Bill No. 2268 was made to conform with **House Bill No. 2134**.

On motion, House Bill No. 2134, on same subject, was substituted for Senate Bill No. 2268.

On motion of Senator Kelsey, Amendment No. 1 was withdrawn.

On motion of Senator Kelsey, Amendment No. 2 was withdrawn.

Senator Yarbrow moved that Amendment No. 3 be placed at the heel of the Amendments, which motion prevailed.

Senator Yarbrow moved that Amendment No. 4 be placed at the heel of the Amendments, which motion prevailed.

Senator Yarbrow moved that Amendment No. 5 be placed at the heel of the Amendments, which motion prevailed.

Senator Yarbrow moved that Amendment No. 6 be placed at the heel of the Amendments, which motion prevailed.

Senator Yarbrow moved that Amendment No. 7 be placed at the heel of the Amendments, which motion prevailed.

Senator Yarbrow moved that Amendment No. 8 be placed at the heel of the Amendments, which motion prevailed.

Senator Yarbrow moved that Amendment No. 9 be placed at the heel of the Amendments, which motion prevailed.

Senator Yarbrow moved that Amendment No. 10 be placed at the heel of the Amendments, which motion prevailed.

Senator Yarbrow moved that Amendment No. 11 be placed at the heel of the Amendments, which motion prevailed.

Senator Yarbrow moved to amend as follows:

AMENDMENT NO. 12

AMEND by deleting the following amendatory language from Section 4 as amended:

() An applicant who is under eighteen (18) years of age shall be considered emancipated after entering into marriage and all disabilities of minority shall be removed.

and by substituting instead the following:

() Marriage shall remove the disabilities of minority. A minor emancipated by marriage shall be considered to have all the rights and responsibilities of an adult, except for specific constitutional or statutory age requirements, including voting, the use of alcoholic beverages, and other health and safety regulations relevant to the minor because of the minor's age.

() A minor shall be advised of the rights and responsibilities of parties to a marriage and of emancipated minors. The minor shall be provided with a fact sheet on these rights and responsibilities to be developed by the administrative office of the courts. The fact sheet shall include referral information for legal aid agencies in this state and national hotlines for domestic violence and sexual assault.

Pursuant to Rule 39(3), Amendment No. 12 was adopted by the following vote:

Ayes	31
Noes	0

Senators voting aye were: Bailey, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Stevens, Swann, Tate, Watson, Yager, Yarbro and Mr. Speaker McNally--31.

On motion of Senator Yarbro, Amendment No. 3 was withdrawn.

On motion of Senator Yarbro, Amendment No. 4 was withdrawn.

On motion of Senator Yarbro, Amendment No. 5 was withdrawn.

On motion of Senator Yarbro, Amendment No. 6 was withdrawn.

On motion of Senator Yarbro, Amendment No. 7 was withdrawn.

On motion of Senator Yarbro, Amendment No. 8 was withdrawn.

On motion of Senator Yarbro, Amendment No. 9 was withdrawn.

On motion of Senator Yarbro, Amendment No. 10 was withdrawn.

On motion of Senator Yarbro, Amendment No. 11 was withdrawn.

MR. SPEAKER McNALLY RELINQUISHES CHAIR

Mr. Speaker McNally relinquished the Chair to Senator Haile as Speaker pro tempore.

TUESDAY, APRIL 24, 2018 -- 76TH LEGISLATIVE DAY

Thereupon, **House Bill No. 2134**, as amended, passed its third and final consideration by the following vote:

Ayes 28
Noes 2

Senators voting aye were: Bailey, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Norris, Pody, Reeves, Roberts, Stevens, Swann, Watson, Yager, Yarbro and Mr. Speaker McNally--28.

Senators voting no were: Bell and Harris--2.

A motion to reconsider was tabled.

Senate Bill No. 2287 -- State Government -- As introduced, replaces the secretary of state and department of state with the commissioner of tourist development and department of tourist development on the Tennessee sports hall of fame board of directors and executive committee. Amends TCA Title 4, Chapter 3, Part 54.

On motion, Senate Bill No. 2287 was made to conform with **House Bill No. 2371**.

On motion, House Bill No. 2371, on same subject, was substituted for Senate Bill No. 2287.

On motion of Senator Bell, Amendment No. 1 was withdrawn.

On motion of Senator Watson, Amendment No. 2 was withdrawn.

Thereupon, **House Bill No. 2371** passed its third and final consideration by the following vote:

Ayes 30
Noes 0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Hensley, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager and Yarbro--30.

A motion to reconsider was tabled.

Senate Bill No. 2519 -- Cemeteries -- As introduced, requires proponent of a suit terminating land use as a cemetery to file notice with the historical commission prior to any hearing on the suit; requires the historical commission to establish a historic cemetery advisory committee. Amends TCA Title 4, Chapter 11; Title 46, Chapter 4 and Title 46, Chapter 8.

On motion, Senate Bill No. 2519 was made to conform with **House Bill No. 1572**.

On motion, House Bill No. 1572, on same subject, was substituted for Senate Bill No. 2519.

On motion of Senator Yager, Amendment No. 1 was withdrawn.

TUESDAY, APRIL 24, 2018 -- 76TH LEGISLATIVE DAY

Thereupon, **House Bill No. 1572** passed its third and final consideration by the following vote:

Ayes 32
Noes 0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

Senator Ketron moved that **Senate Bill No. 2520** be placed on the last Calendar, which motion prevailed.

Senate Bill No. 2621 -- Criminal Offenses -- As introduced, enacts the "Elderly and Vulnerable Adult Protection Act of 2018." Amends TCA Title 39; Title 40 and Title 71.

On motion, Senate Bill No. 2621 was made to conform with **House Bill No. 2159**.

On motion, House Bill No. 2159, on same subject, was substituted for Senate Bill No. 2621.

Senator Kelsey moved that Amendment No. 1 be placed at the heel of the Amendments, which motion prevailed.

On motion of Senator Watson, Amendment No. 2 was withdrawn.

Senator Watson moved to amend as follows:

AMENDMENT NO. 3

AMEND by deleting from Section 2 of the amendatory language of the bill as amended by draft number 16566 the following language:

() "Confinement":

(A) Means the knowing restriction of movement of an elderly or vulnerable adult by a caregiver. Restricting one's movement includes, but is not limited to, the use of force, medication, intimidation, or restraint; and

(B) Does not include restricting an elderly or vulnerable adult's movement for the safety of the elderly or vulnerable adult as directed by a licensed physician treating the elderly or vulnerable adult;

and substituting instead the following:

() "Confinement":

(A) Means the knowing and unreasonable restriction of movement of an elderly or vulnerable adult by a caregiver;

(B) Includes, but is not limited to:

- (i) Placing a person in a locked room;
- (ii) Involuntarily separating a person from the person's living area;
- (iii) The use of physical restraining devices on a person; or
- (iv) The provision of unnecessary or excessive medications to a person; and

(C) Does not include the use of the methods or devices described in subdivision () (B) if used in a licensed facility in a manner that conforms to state and federal standards governing confinement and restraint;

AND FURTHER AMEND by deleting from § 39-15-507(a) in Section 5 the word "knowingly" and substituting instead the language "willfully and knowingly".

AND FURTHER AMEND by deleting from § 39-15-509(b) in Section 5 the language "within forty-eight (48) hours of the event that causes the person to have reasonable suspicion".

AND FURTHER AMEND by deleting from Section 16 the language "within forty-eight (48) hours of the event that causes the person to have reasonable suspicion".

AND FURTHER AMEND by deleting from Section 17 the language "July 1, 2018" and substituting instead the language "January 1, 2019".

On motion, Amendment No. 3 was adopted.

Senator Norris moved to amend as follows:

AMENDMENT NO. 4

AMEND by deleting the language "subsection (e)" in 39-15-509(d) of Section 5 and substituting instead "subsection (f)".

AND FURTHER AMEND by adding the following language as a new Section 39-15-509(d) in the amendatory language of Section 5 and redesignating the current subsection (d) and subsequent subsections accordingly:

(d)(1) This section does not apply to a financial service provider or to an employee of a financial service provider acting within the scope of the employee's employment except as provided by title 45, chapter 2, part 12.

(2) As used in subdivision (d)(1), "financial service provider" means any of the following engaged in or transacting business in this state:

- (A) A state or national bank or trust company;
- (B) A state or federal savings and loan association;

- (C) A state or federal credit union;
- (D) An industrial loan and thrift company, regulated by title 45, chapter 5;
- (E) A money transmitter, regulated by title 45, chapter 7, part 2;
- (F) A check casher, regulated by title 45, chapter 18;
- (G) A mortgage loan lender, mortgage loan broker, mortgage loan originator, or mortgage loan servicer, regulated by title 45, chapter 13;
- (H) A title pledge lender, regulated by title 45, chapter 15;
- (I) A deferred presentment services provider, regulated by title 45, chapter 17;
- (J) A flex loan provider, regulated by title 45, chapter 12; or
- (K) A home equity conversion mortgage lender, regulated by title 47, chapter 30.

On motion, Amendment No. 4 was adopted.

On motion of Senator Kelsey, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 2159**, as amended, passed its third and final consideration by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

Senate Bill No. 2646 -- Economic and Community Development, Dept. of -- As introduced, enacts the "Tennessee Rural Hospital Transformation Act of 2018." Amends TCA Title 4; Title 68 and Title 71.

Senator Dickerson declared Rule 13 on **Senate Bill No. 2646**.

Senator Green declared Rule 13 on **Senate Bill No. 2646**.

On motion, Senate Bill No. 2646 was made to conform with **House Bill No. 2326**.

On motion, House Bill No. 2326, on same subject, was substituted for Senate Bill No. 2646.

TUESDAY, APRIL 24, 2018 -- 76TH LEGISLATIVE DAY

On motion of Senator Crowe, Amendment No. 1 was withdrawn.

On motion of Senator Watson, Amendment No. 2 was withdrawn.

Thereupon, **House Bill No. 2326** passed its third and final consideration by the following vote:

Ayes 32
Noes 0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

House Joint Resolution No. 1144 -- Memorials, Recognition -- Cystic Fibrosis Awareness Month, May 2018.

House Joint Resolution No. 1144 was concurred in by the following vote:

Ayes 32
Noes 0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

House Bill No. 1338 -- Barbers and/or Cosmetologists -- As introduced, requires anyone seeking a license or renewing a license as a cosmetologist, aesthetician, manicurist, natural hair stylist, or barber to successfully complete a one-hour domestic violence training course as prescribed by the state board of cosmetology and barber examiners. Amends TCA Title 62, Chapter 3 and Title 62, Chapter 4.

Senator Harris moved to amend as follows:

AMENDMENT NO. 2

AMEND by deleting all language after the enacting clause and substituting the following:

SECTION 1. Tennessee Code Annotated, Section 62-4-114(a), is amended by adding the following language as a new subdivision:

(4)(A) By January 1, 2019, the board shall develop instructional guidelines for one-hour domestic violence and sexual assault awareness continuing education courses. The courses must train instructors on the common signs of

domestic violence and sexual assault and the available resources for victims of domestic violence and sexual assault. The board shall use the instructional guidelines to approve courses and providers that provide domestic violence and sexual assault awareness continuing education courses. An instructor may apply such a course towards the instructor's sixteen-hour continuing education requirement as described in subdivision (a)(1).

(B) Nothing in this subdivision (a)(4) subjects an instructor under this chapter to the jurisdiction of any board under title 63.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

Pursuant to Rule 39(3), Amendment No. 2 failed for the lack of a two-thirds majority by the following vote:

Ayes	14
Noes	12

Senators voting aye were: Briggs, Crowe, Dickerson, Green, Harper, Harris, Jackson, Johnson, Ketron, Kyle, Massey, Niceley, Norris and Yarbrow--14.

Senators voting no were: Bell, Bowling, Gresham, Hensley, Kelsey, Lundberg, Pody, Roberts, Stevens, Swann, Watson and Yager--12.

Senator Harris moved that **House Bill No. 1338** be moved four places down on the Calendar No. 1 for today, which motion prevailed.

SPEAKER RESUMES CHAIR

Mr. Speaker McNally resumed the Chair.

Senator Gresham moved that **Senate Bill No. 578** be placed at the heel of the Calendar No. 2 for today, which motion prevailed.

Senator Yager moved that **Senate Bill No. 891** be rereferred to the Committee on Calendar, which motion prevailed.

Senator Norris moved that **Senate Bill No. 1821** be rereferred to the Committee on Calendar, which motion prevailed.

Senator Bell moved that **Senate Bill No. 2149** be placed at the heel of the Calendar No. 2 for today, which motion prevailed.

Senate Bill No. 2261 -- Juvenile Offenders -- As introduced, enacts the "Juvenile Justice Reform Act of 2018." Amends TCA Title 37 and Title 39, Chapter 17, Part 15.

On motion, Senate Bill No. 2261 was made to conform with **House Bill No. 2271**.

TUESDAY, APRIL 24, 2018 -- 76TH LEGISLATIVE DAY

On motion, House Bill No. 2271, on same subject, was substituted for Senate Bill No. 2261.

On motion of Senator Kelsey, Amendment No. 1 was withdrawn.

On motion of Senator Watson, Amendment No. 2 was withdrawn.

Senator Norris moved to amend as follows:

AMENDMENT NO. 3

AMEND by inserting the following new Section 59 and renumbering the current section and subsequent sections accordingly:

SECTION 59. Tennessee Code Annotated, Section 37-1-114(b), is amended by deleting the first sentence of the subsection and substituting instead the following:

In order to assure that valid court orders are used only in extremely rare circumstances and for no more than twenty-four (24) hours, children alleged to be unruly shall not be detained for more than twenty-four (24) hours, excluding nonjudicial days, including for violation of a valid court order.

On motion, Amendment No. 3 was adopted.

Thereupon, **House Bill No. 2271**, as amended, passed its third and final consideration by the following vote:

Ayes	27
Noes	0
Present, not voting ...	2

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Roberts, Southerland, Swann, Watson, Yager and Mr. Speaker McNally--27.

Senators present and not voting were: Harris and Yarbro--2.

A motion to reconsider was tabled.

FURTHER ACTION ON HOUSE BILL NO. 1338

Senator Harris moved that **House Bill No. 1338** be rereferred to the Committee on Calendar, which motion prevailed.

Senate Bill No. 410 -- Education -- As introduced, requires all public schools to place automated external defibrillator (AED) devices in schools; encourages private schools to place AED devices in schools. Amends TCA Title 49 and Title 68, Chapter 140, Part 4.

On motion, Senate Bill No. 410 was made to conform with **House Bill No. 521**.

On motion, House Bill No. 521, on same subject, was substituted for Senate Bill No. 410.

TUESDAY, APRIL 24, 2018 -- 76TH LEGISLATIVE DAY

Senator Gresham moved that Amendment No. 1 be placed behind Amendment No. 2, which motion prevailed.

On motion of Senator Watson, Amendment No. 2 was withdrawn.

On motion of Senator Gresham, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 521** passed its third and final consideration by the following vote:

Ayes	30
Noes	1

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Lundberg, Massey, Niceley, Norris, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--30.

Senator voting no was: Pody--1.

A motion to reconsider was tabled.

Senator Kelsey moved that **Senate Bill No. 987** be rereferred to the Committee on Calendar, which motion prevailed.

MOTION

Senator Norris moved that Rule 19 be suspended for the purpose of considering Calendar No. 2 next, which motion prevailed.

MOTION

Senator Roberts moved that Rule 19 and Rule 37 be suspended for the purpose of making and considering Calendar No. 2 consisting of the following bills and resolutions: **Senate Bills Nos. 1288, 1751, 1974, 1989, 2051, 2056, 2059 and 2220; Senate Resolution No. 154; and Senate Joint Resolutions Nos. 530, 878, 879, 880, 882, 883, 975, 976 and 977**, which motion prevailed.

CALENDAR NO. 2

Senate Bill No. 1288 -- Local Government, General -- As introduced, increases the authorized annual state contribution made to human resources agencies. Amends TCA Title 13, Chapter 26.

On motion, Senate Bill No. 1288 was made to conform with **House Bill No. 955**.

On motion, House Bill No. 955, on same subject, was substituted for Senate Bill No. 1288.

House Bill No. 955 passed its third and final consideration by the following vote:

Ayes	28
Noes	0

TUESDAY, APRIL 24, 2018 -- 76TH LEGISLATIVE DAY

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Lundberg, Massey, Niceley, Pody, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager and Mr. Speaker McNally--28.

A motion to reconsider was tabled.

Senator Gardenhire moved that **Senate Bill No. 1751** be placed at the heel of the Calendar No. 2 for today, which motion prevailed.

Senate Bill No. 1974 -- Criminal Offenses -- As introduced, creates Class B felony of selling, possessing, or manufacturing 15 grams or more of any substance containing fentanyl and Class A felony if the substance contains 150 grams or more of fentanyl. Amends TCA Title 39, Chapter 13; Title 39, Chapter 14; Title 39, Chapter 15; Title 39, Chapter 16; Title 39, Chapter 17; Title 40, Chapter 35; Title 55; Title 63; Title 69, Chapter 9 and Title 70.

On motion, Senate Bill No. 1974 was made to conform with **House Bill No. 1959**.

On motion, House Bill No. 1959, on same subject, was substituted for Senate Bill No. 1974.

On motion of Senator Kelsey, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 1959** passed its third and final consideration by the following vote:

Ayes	29
Noes	0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager and Mr. Speaker McNally--29.

A motion to reconsider was tabled.

Senator Stevens moved that **Senate Bill No. 1989** be placed at the heel of the Calendar No. 2 for today, which motion prevailed.

Senate Bill No. 2051 -- Taxes -- As introduced, authorizes the commissioner of revenue to require or authorize a "perfection period" for electronically filed Hall income tax and franchise and excise tax returns. Amends TCA Section 67-2-107; Title 67, Chapter 4, Part 20 and Title 67, Chapter 4, Part 21.

On motion, Senate Bill No. 2051 was made to conform with **House Bill No. 2132**.

On motion, House Bill No. 2132, on same subject, was substituted for Senate Bill No. 2051.

House Bill No. 2132 passed its third and final consideration by the following vote:

Ayes	30
Noes	0

TUESDAY, APRIL 24, 2018 -- 76TH LEGISLATIVE DAY

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Pody, Reeves, Roberts, Southerland, Swann, Tate, Watson, Yager and Mr. Speaker McNally--30.

A motion to reconsider was tabled.

Senate Bill No. 2056 -- Economic and Community Development -- As introduced, requires a municipality financing the cost of a qualified public use facility in a tourism development zone to provide notice, within five days instead of seven days, before entering into any structured lease agreement, that discloses the purpose of the agreement. Amends TCA Title 7, Chapter 88 and Title 67, Chapter 4.

Senator Norris declared Rule 13 on **Senate Bill No. 2056**.

On motion, Senate Bill No. 2056 was made to conform with **House Bill No. 2435**.

On motion, House Bill No. 2435, on same subject, was substituted for Senate Bill No. 2056.

On motion of Senator Yager, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 2435** passed its third and final consideration by the following vote:

Ayes	29
Noes	1

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Pody, Reeves, Roberts, Southerland, Swann, Tate, Watson, Yager and Mr. Speaker McNally--29.

Senator voting no was: Hensley--1.

A motion to reconsider was tabled.

Senator Green moved that **Senate Bill No. 2059** be placed at the heel of the Calendar No. 2 for today, which motion prevailed.

Senate Bill No. 2220 -- Taxes -- As introduced, requires commissioner of revenue to report in writing to the finance, ways and means committees of the senate and the house of representatives the total, annual amount of industrial machinery franchise and excise tax credits provided under Tennessee Code Annotated, Section 67-4-2009(3), for fiscal years 2012-2017. Amends TCA Title 67, Chapter 4.

Senate Bill No. 2220 passed its third and final consideration by the following vote:

Ayes	32
Noes	0

TUESDAY, APRIL 24, 2018 -- 76TH LEGISLATIVE DAY

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

Senate Resolution No. 154 -- Memorials, Congress -- Urges U.S. Speaker of House and House Chief Clerk to return a TBI report on Martin Luther King assassination known as "MLK Document 200472" submitted to U.S. House Select Committee on Assassinations in 1976.

On motion, **Senate Resolution No. 154** was adopted.

A motion to reconsider was tabled.

Senate Joint Resolution No. 530 -- General Assembly, Statement of Intent or Position -- Urges Congress and the United States Department of Health and Human Services to revise and update the Medicare Wage Index factor.

Senate Joint Resolution No. 530 was adopted by the following vote:

Ayes	31
Noes	0
Present, not voting . . .	1

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager and Mr. Speaker McNally--31.

Senator present and not voting was: Yarbrow--1.

A motion to reconsider was tabled.

Senate Joint Resolution No. 878 -- General Assembly, Confirmation of Appointment -- John C. Compton, UT board of trustees.

On motion, Senate Joint Resolution No. 878 was made to conform with **House Joint Resolution No. 1083**.

On motion, House Joint Resolution No. 1083, on same subject, was substituted for Senate Joint Resolution No. 878.

House Joint Resolution No. 1083 was concurred in by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg,

TUESDAY, APRIL 24, 2018 -- 76TH LEGISLATIVE DAY

Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

Senate Joint Resolution No. 879 -- General Assembly, Confirmation of Appointment -- Kara M. Lawson, UT board of trustees.

On motion, Senate Joint Resolution No. 879 was made to conform with **House Joint Resolution No. 1087**.

On motion, House Joint Resolution No. 1087, on same subject, was substituted for Senate Joint Resolution No. 879.

House Joint Resolution No. 1087 was concurred in by the following vote:

Ayes	33
Noes	0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--33.

A motion to reconsider was tabled.

Senate Joint Resolution No. 880 -- General Assembly, Confirmation of Appointment -- Donnie Smith, UT board of trustees.

On motion, Senate Joint Resolution No. 880 was made to conform with **House Joint Resolution No. 1091**.

On motion, House Joint Resolution No. 1091, on same subject, was substituted for Senate Joint Resolution No. 880.

House Joint Resolution No. 1091 was concurred in by the following vote:

Ayes	33
Noes	0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--33.

A motion to reconsider was tabled.

Senate Joint Resolution No. 882 -- General Assembly, Confirmation of Appointment -- Kim H. White, UT board of trustees.

TUESDAY, APRIL 24, 2018 -- 76TH LEGISLATIVE DAY

On motion, Senate Joint Resolution No. 882 was made to conform with **House Joint Resolution No. 1092**.

On motion, House Joint Resolution No. 1092, on same subject, was substituted for Senate Joint Resolution No. 882.

House Joint Resolution No. 1092 was concurred in by the following vote:

Ayes 30
Noes 0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Lundberg, Massey, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--30.

A motion to reconsider was tabled.

Senate Joint Resolution No. 883 -- General Assembly, Confirmation of Appointment -- William C. Rhodes III, UT board of trustees.

On motion, Senate Joint Resolution No. 883 was made to conform with **House Joint Resolution No. 1090**.

On motion, House Joint Resolution No. 1090, on same subject, was substituted for Senate Joint Resolution No. 883.

House Joint Resolution No. 1090 was concurred in by the following vote:

Ayes 31
Noes 0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

Senate Joint Resolution No. 975 -- General Assembly, Confirmation of Appointment -- Amy E. Miles, UT board of trustees.

Senate Joint Resolution No. 975 was adopted by the following vote:

Ayes 33
Noes 0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--33.

TUESDAY, APRIL 24, 2018 -- 76TH LEGISLATIVE DAY

A motion to reconsider was tabled.

Senate Joint Resolution No. 976 -- General Assembly, Confirmation of Appointment -- Lang Wiseman, UT board of trustees.

Senate Joint Resolution No. 976 was adopted by the following vote:

Ayes	33
Noes	0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--33.

A motion to reconsider was tabled.

Senate Joint Resolution No. 977 -- General Assembly, Confirmation of Appointment -- Rhedona Rose, state university board of Tennessee Technological University.

Senate Joint Resolution No. 977 was adopted by the following vote:

Ayes	33
Noes	0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--33.

A motion to reconsider was tabled.

FURTHER ACTION ON SENATE BILL NO. 1989

Senator Stevens moved that **Senate Bill No. 1989** be rereferred to the Committee on Calendar, which motion prevailed.

Senate Bill No. 2059 -- Firearms and Ammunition -- As introduced, changes to January 15 from February 1 the date by which the Tennessee bureau of investigation is required to provide an annual report to the senate judiciary and house criminal justice committees on the amount of money collected from gun dealers to perform background checks that is in excess of the costs to the bureau to perform the checks. Amends TCA Title 4, Chapter 3; Title 16; Title 36, Chapter 3, Part 6; Title 38; Title 39; Title 40; Title 49; Section 50-3-201; Section 58-1-112; Section 70-4-123 and Section 70-5-101.

Senator Kelsey moved that Amendment No. 1 be placed at the heel of the Amendments, which motion prevailed.

Senator Watson moved to amend as follows:

AMENDMENT NO. 2

AMEND by deleting all language after the caption and substituting instead the following:

WHEREAS, the safety of our children is paramount; and

WHEREAS, reducing the armed response time of law enforcement officers for reports of armed intruders on school premises is vital to ensuring the safety of children, teachers, and school personnel; and

WHEREAS, increasing the presence of properly trained, armed, and certified officials on school premises will aid in protecting our children, teachers, and school personnel; and

WHEREAS, the presence of armed school security officers will help to comfort parents, children, and citizens of this State concerned for the safety of those present on school premises; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. This act shall be known and may be cited as the "School Safety Act of 2018."

SECTION 2. Tennessee Code Annotated, Section 39-17-1309(e)(10), is amended by deleting the language "pursuant to § 49-6-815 or § 49-6-816" and substituting instead the language "pursuant to § 49-6-809, § 49-6-815, or § 49-6-816".

SECTION 3. Tennessee Code Annotated, Title 49, Chapter 6, Part 8, is amended by adding the following as a new section:

49-6-809.

(a) For purposes of this section, "law enforcement officer" means the sheriff, sheriff's deputies, or any police officer employed by the state, a municipality, county, or political subdivision of the state certified by the peace officer standards and training (POST) commission; any commissioned member of the Tennessee highway patrol; and any Tennessee county constable authorized to carry a firearm and who has been certified by the POST commission.

(b)(1) To increase the protection and safety of students and school personnel, local boards of education may adopt a policy authorizing off-duty law enforcement officers to serve as armed school security officers during regular school hours when children are present on the school's premises, as well as during school-sponsored events.

(2) Nothing in this section shall require a local board of education to adopt a policy permitting an off-duty law enforcement officer to serve as an armed school security officer.

(c)(1) If a local board of education adopts a policy authorizing off-duty law enforcement officers to serve as armed school security officers, the LEA shall execute a written memorandum of understanding (MOU)

with each law enforcement agency that employs the law enforcement officers selected by the chief law enforcement officer of the law enforcement agency to serve as armed school security officers.

(2) Any MOU entered into pursuant to subdivision (c)(1) shall contain the following:

(A) A provision that prescribes the types of firearms that may be carried by an armed school security officer on school premises and the manner in which the armed school security officer's firearm may be carried; provided, that the MOU shall not prohibit an off-duty law enforcement officer who is serving as an armed school security officer from carrying a loaded handgun on school premises;

(B) A provision limiting the role of armed school security officers to that of maintaining safety in the school and prohibiting armed school security officers from addressing routine school discipline issues that do not constitute crimes or that do not impact the immediate health or safety of the students or staff of the school;

(C) Provisions stipulating that off-duty officers serving as armed school security officers are required to follow the policies of the officer's employing law enforcement agency;

(D) Procedures for communication among the LEA, armed school security officers, school resource officers, and local law enforcement agencies;

(E) A description of any policies, procedures, or other requirements that the armed school security officers must follow when responding to an emergency on school grounds;

(F) A statement requiring that armed school security officers comply with all state and federal laws regarding the confidentiality of personally identifiable student information;

(G) Procedures for addressing complaints against armed school security officers;

(H) A provision detailing how liability will be provided for any acts or omissions of the armed school security officer within the scope of the armed school security officer's duties, except for willful, malicious, or criminal acts or omissions or for acts or omissions done for personal gain;

(I) A provision detailing how scheduling will be determined; and

(J) The hours and wages of each armed school security officer assigned to a school in the LEA.

(3) Any MOU entered into pursuant to subdivision (c)(1) may prescribe:

(A) Whether an armed school security officer is required to be uniformed while on school premises; or

(B) Other means for proper identification of the armed school security officer.

(4)(A) If an MOU entered into pursuant to this subsection (c) would permit law enforcement officers to serve as armed school security officers at a school that is located within the jurisdictional boundaries of another law enforcement agency that is not the law enforcement officers' employing agency, then the MOU shall not take effect until approved in writing by the chief law enforcement officer of the law enforcement agency with law enforcement jurisdiction for the school.

(B) Notwithstanding title 6, chapter 54, part 3, or any other law to the contrary, a law enforcement officer who is serving as an armed school security officer pursuant to this section for a school located outside of the jurisdictional boundaries of the officer's employing agency shall, while acting within the scope of the officer's employment as an armed school security officer, have the jurisdiction and authority to enforce all laws of this state and of the county or municipality in which the school at which the officer is serving as an armed school security officer is located.

(d)(1) The chief law enforcement officer of each law enforcement agency in this state shall prepare and distribute a list of its law enforcement officers who the chief law enforcement officer deems qualified and who are interested in serving as armed school security officers pursuant to this section to each LEA that is located within the law enforcement agency's jurisdictional boundaries and with which a MOU has been entered into in accordance with the provisions of this section. The chief law enforcement officer shall consider the federal Fair Labor Standards Act when considering an officer's qualification to serve as an armed school security officer.

(2) The chief law enforcement officer of a law enforcement agency may prohibit a law enforcement officer employed by another law enforcement agency from serving as an armed school security officer at a school located within the chief law enforcement officer's jurisdiction for reasons the chief law enforcement officer deems sufficient, including, but not limited to, if the law enforcement officer has received a disciplinary action within the last five (5) years that resulted in, at a minimum, a written reprimand. The chief law enforcement officer shall notify any such officer the chief prohibits from serving as an armed school security officer by sending a written notice of the prohibition to the law enforcement officer and the law

enforcement officer's employing agency. The law enforcement officer is entitled to compensation pursuant to this section for any service as an armed school security officer performed by the officer prior to receipt of the written notice by the earlier of the law enforcement officer or the law enforcement officer's employing agency.

(e) If an LEA adopts a policy authorizing the use of armed school security officers, then funding for the armed school security officers may come from a law enforcement agency or from the LEA, including, but not limited to, local, state, or federal funds received by the LEA, for which purpose such funds may be lawfully expended.

(f)(1) Nothing in this section shall be construed to require an LEA or a law enforcement agency of the county to assign or provide funding for an armed school security officer.

(2) Nothing in § 49-3-315 shall be construed to require an LEA or a law enforcement agency of the county to assign or provide funding for an armed school security officer as defined in this section to any school system within that county on the basis of the WFTEADA, as defined by § 49-3-302. The provision of armed school security officers by local law enforcement agencies shall be considered a law enforcement function and not a school operation or maintenance purpose that requires the apportionment of funds pursuant to § 49-3-315.

(g) The use of armed school security officers shall be supplemental to school resource officers and school safety measures adopted by an LEA and shall not supplant school resource officers or other school security measures. An LEA shall not replace a school resource officer or other school security measure with an armed school security officer. A law enforcement agency shall not terminate a MOU for the provision of school resource officers based solely upon an LEA's adoption of a policy authorizing the use of armed school security officers.

(h) Following the conclusion of the 2020-2021 school year, the chief law enforcement officer of each law enforcement agency with law enforcement jurisdiction for a school that has utilized armed school security officers pursuant to this section shall submit a report to the governor, the chair of the education administration and planning committee of the house of representatives, the chair of the education committee of the senate, and the commissioner of education on or before September 1, 2021, that details any school security deficiencies and that provides recommendations for security improvements for each such school. If the report requirement of this subsection (h) affects more than one (1) law enforcement agency within any one (1) county, then the affected chief law enforcement officers shall submit a single, consolidated report covering the schools that have utilized armed school security officers pursuant to this section.

SECTION 4. The state board of education is authorized to promulgate rules to effectuate the purposes of this act. All rules must be promulgated in accordance with title 4, chapter 5.

TUESDAY, APRIL 24, 2018 -- 76TH LEGISLATIVE DAY

SECTION 5. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 2 was adopted.

On motion of Senator Kelsey, Amendment No. 1 was withdrawn.

Thereupon, **Senate Bill No. 2059**, as amended, passed its third and final consideration by the following vote:

Ayes	33
Noes	0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--33.

A motion to reconsider was tabled.

CALENDAR NO. 1

Senator Gresham moved that **Senate Bill No. 1502** be placed at the heel of the Calendar No. 2 for today, which motion prevailed.

Senate Bill No. 1894 -- Utilities, Utility Districts -- As introduced, authorizes a municipality to fund chambers of commerce and economic and community organizations with revenue from a natural gas utility system owned by the municipality. Amends TCA Title 7, Chapter 34.

Senator Norris declared Rule 13 on **Senate Bill No. 1894**.

Senator Yager moved that Amendment No. 1 be placed at the heel of the Amendments, which motion prevailed.

Senator Gresham moved to amend as follows:

AMENDMENT NO. 2

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 7-34-115(a), is amended by designating the existing language of the subsection as new subdivision (a)(1) and by adding the following as new subdivision (a)(2):

(2) Notwithstanding subdivision (a)(1) or any other law to the contrary, if the municipal utility system is a natural gas utility system, the municipal utility board with management responsibility for the municipal utility system or, if there is no such board, the municipal governing body, may also devote revenues derived from the system to funding chambers of commerce and economic and community organizations in accordance with an ordinance or resolution adopted by the governing body of the municipality.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 2 was adopted.

Senator Pody moved to amend as follows:

AMENDMENT NO. 3

AMEND by adding the following to the end of the amendatory language of Section 1:

A municipal utility system whose revenues are devoted pursuant to this subdivision (a)(2) shall not raise rates on customers to cover contributions targeted for economic development efforts.

On motion, Amendment No. 3 was adopted.

On motion of Senator Yager, Amendment No. 1 was withdrawn.

Thereupon, **Senate Bill No. 1894**, as amended, passed its third and final consideration by the following vote:

Ayes	20
Noes	9
Present, not voting . . .	1

Senators voting aye were: Briggs, Crowe, Green, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Ketron, Lundberg, Massey, Norris, Pody, Southerland, Stevens, Swann, Watson, Yager and Mr. Speaker McNally--20.

Senators voting no were: Bell, Bowling, Dickerson, Gardenhire, Harris, Kelsey, Kyle, Niceley and Reeves--9.

Senator present and not voting was: Roberts--1.

A motion to reconsider was tabled.

Senate Bill No. 1915 -- Controlled Substances -- As introduced, clarifies that the present law that exempts certain oils containing cannabidiol and used for research or treatment of seizures or epilepsy will not be repealed on June 30, 2018; and removes DEA certification as an eligibility condition for the research exemption. Amends TCA Title 39, Chapter 17 and Title 43.

On motion, Senate Bill No. 1915 was made to conform with **House Bill No. 1883**.

On motion, House Bill No. 1883, on same subject, was substituted for Senate Bill No. 1915.

Senator Kelsey moved that Amendment No. 1 be placed at the heel of the Amendments, which motion prevailed.

Senator Niceley moved that Amendment No. 2 be placed at the heel of the Amendments, which motion prevailed.

Senator Niceley moved that Amendment No. 3 be placed at the heel of the Amendments, which motion prevailed.

Senator Massey moved to amend as follows:

AMENDMENT NO. 4

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-17-402(16), is amended by adding the following as new subdivisions:

() The term "marijuana" does not include cannabis oil containing the substance cannabidiol, with less than six tenths of one percent (0.6%) of tetrahydrocannabinol, including the necessary seeds and plants, when manufactured, processed, transferred, dispensed, or possessed by a four-year public or private institution of higher education certified by the drug enforcement administration located in the state as part of a clinical research study on the treatment of intractable seizures, cancer, or other diseases;

() The term "marijuana" does not include oil containing the substance cannabidiol, with less than nine-tenths of one percent (0.9%) of tetrahydrocannabinol, if:

(i) The bottle containing the oil is labeled by the manufacturer as containing cannabidiol in an amount less than nine-tenths of one percent (0.9%) of tetrahydrocannabinol; and

(ii) The person in possession of the oil retains:

(a) Proof of the legal order or recommendation from the issuing state; and

(b) Proof that the person or the person's immediate family member has been diagnosed with intractable seizures or epilepsy by a medical doctor or doctor of osteopathic medicine who is licensed to practice medicine in the state of Tennessee;

SECTION 2. This act shall take effect at 12:01 a.m. July 1, 2018, the public welfare requiring it.

On motion, Amendment No. 4 was adopted.

On motion of Senator Kelsey, Amendment No. 1 was withdrawn.

On motion of Senator Niceley, Amendment No. 2 was withdrawn.

TUESDAY, APRIL 24, 2018 -- 76TH LEGISLATIVE DAY

On motion of Senator Niceley, Amendment No. 3 was withdrawn.

Thereupon, **House Bill No. 1883**, as amended, passed its third and final consideration by the following vote:

Ayes 29

Noes 3

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Haile, Harper, Harris, Jackson, Johnson, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--29.

Senators voting no were: Hensley, Kelsey and Stevens--3.

A motion to reconsider was tabled.

Senator Gresham moved that **Senate Bill No. 2037** be rereferred to the Committee on Calendar, which motion prevailed.

Senate Bill No. 2119 -- Taxes -- As introduced, permits a county or municipal governing body to advertise its intent to exceed the certified property tax rate on the official website for the county or municipality, as applicable. Amends TCA Title 67.

Senator Stevens moved that Amendment No. 1 be placed at the heel of the Amendments, which motion prevailed.

Senator Watson moved that Amendment No. 2 be placed at the heel of the Amendments, which motion prevailed.

Senator Watson moved that Amendment No. 3 be placed at the heel of the Amendments, which motion prevailed.

Senator Watson moved that Amendment No. 4 be placed at the heel of the Amendments, which motion prevailed.

Senator Stevens moved to amend as follows:

AMENDMENT NO. 5

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 67-4-2006(a), is amended by adding the following as subdivision (10):

(10) Effective for tax years beginning on or after January 1, 2020, for purposes of computing "net earnings" or "net loss" under this subsection (a), Section 163(j) of the Internal Revenue Code of 1986, as amended, shall be applied as it existed and applied immediately before the enactment of the Tax Cuts and Jobs Act of 2017, Pub. L. No. 115-97.

SECTION 2. Tennessee Code Annotated, Section 67-4-2006(b)(2), is amended by adding the following as a new, appropriately designated subdivision:

() Any amount that the taxpayer would have excluded from federal taxable income as a result of applying § 118 of the Internal Revenue Code as it existed and applied immediately before enactment of the Tax Cuts and Jobs Act of 2017, Pub. L. No. 115-97;

SECTION 3. Tennessee Code Annotated, Section 67-1-1704, is amended by adding the following language as a new subsection (e) and redesignating the remaining subsections accordingly:

(e) A unit of local government receiving tax information under subsection (d) may disclose to a contractor or consultant the name, address, and situs of one (1) or more taxpayers for the purpose of ascertaining whether allocations of state and local taxes are being distributed to the correct unit of local government. Such information shall not include the taxpayer's returns, receipts, income, tax liability, tax payments, or other financial information. No consultant or contractor of a unit of local government who receives tax information under this subsection (e) shall disclose such information to any other person. Any consultant or contractor of a unit of local government who has or has had, at any time, access to any tax information under this subsection (e) shall be subject to all the penalties and restrictions applicable to an officer or employee of the state under § 67-1-1709.

SECTION 4. Tennessee Code Annotated, Section 67-6-103(h)(2), is amended by deleting the language "until June 30, 2023" and substituting instead the language "until June 30, 2028".

SECTION 5. Section 2 of this act shall take effect upon becoming a law and shall apply to tax periods beginning on or after January 1, 2017, the public welfare requiring it. All other sections shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 5 was adopted.

On motion of Senator Stevens, Amendment No. 1 was withdrawn.

On motion of Senator Watson, Amendment No. 2 was withdrawn.

On motion of Senator Watson, Amendment No. 3 was withdrawn.

On motion of Senator Watson, Amendment No. 4 was withdrawn.

Thereupon, **Senate Bill No. 2119**, as amended, passed its third and final consideration by the following vote:

Ayes 33
Noes 0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg,

TUESDAY, APRIL 24, 2018 -- 76TH LEGISLATIVE DAY

Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--33.

A motion to reconsider was tabled.

Senator Norris moved that **Senate Bill No. 2259** be rereferred to the Committee on Calendar, which motion prevailed.

Senate Bill No. 2333 -- Public Officials -- As introduced, prohibits the use of consular identification cards, and other similar documents not authorized by the general assembly for use for identification purposes, for determining a person's identity or residency by an official or employee of the state or any political subdivision of the state; prohibits local governments and law enforcement agencies from establishing the acceptability of any such cards or documents. Amends TCA Title 2; Title 5; Title 6; Title 7; Title 8 and Title 55.

On motion, Senate Bill No. 2333 was made to conform with **House Bill No. 2312**.

On motion, House Bill No. 2312, on same subject, was substituted for Senate Bill No. 2333.

Senator Yager moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting subdivision (a)(1) in Section 1 and substituting instead the following:

(1) A matricula consular card; and

On motion, Amendment No. 1 was adopted.

On motion of Senator Yager, Amendment No. 2 was withdrawn.

On motion of Senator Yarbrow, Amendment No. 3 was withdrawn.

Senator Gardenhire moved to amend as follows:

AMENDMENT NO. 4

AMEND by deleting subsection (c) from the amendatory language of Section 1 and substituting instead the following:

(c) Pursuant to federal law, subsection (a) shall not apply to local education agencies for purposes of enrolling students or administering any activity or program for students or their family members.

Senator Gardenhire moved for the previous question on Amendment No. 4, which motion prevailed by the following vote:

Ayes 21
Noes 8

TUESDAY, APRIL 24, 2018 -- 76TH LEGISLATIVE DAY

Senators voting aye were: Bailey, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Haile, Harris, Jackson, Johnson, Kelsey, Kyle, Massey, Niceley, Southerland, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--21.

Senators voting no were: Green, Gresham, Hensley, Ketron, Pody, Reeves, Roberts and Stevens--8.

On motion, Amendment No. 4 failed by the following vote:

Ayes	11
Noes	19

Senators voting aye were: Briggs, Dickerson, Gardenhire, Harris, Kelsey, Kyle, Lundberg, Massey, Niceley, Tate and Yarbrow--11.

Senators voting no were: Bailey, Bell, Bowling, Crowe, Green, Gresham, Haile, Hensley, Jackson, Johnson, Ketron, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Watson and Mr. Speaker McNally--19.

On motion of Senator Massey, Amendment No. 5 was withdrawn.

Senator Green moved that **House Bill No. 2312**, as amended, be placed at the heel of Calendar No. 1 for today, which motion prevailed.

MOTION

Senator Gresham moved that Rule 83 be suspended for the purpose of allowing the Committee on Education to meet Wednesday, April 25, 2018, at 9:00 a.m., which motion prevailed.

NOTICES

MESSAGE FROM THE HOUSE

April 24, 2018

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 1926. The House refused to recede from its action in nonconcurring in Senate Amendments Nos.1 & 3. The Speaker appointed a Conference Committee composed of Representatives Rudd, Carter, and Beck to confer with a like committee from the Senate in open conference to resolve the differences between the Bodies on House Bill No. 1926.

TAMMY LETZLER,
Chief Clerk

**APPOINTMENT OF SELECT COMMITTEE
CONFERENCE COMMITTEE
ON
HOUSE BILL NO. 1926**

The Speaker announced the appointment of a Conference Committee composed of Senators Swann, Chairperson; Kelsey and Tate to confer with a like committee from the House to resolve the differences of the two Bodies on House Bill No. 1926.

TUESDAY, APRIL 24, 2018 -- 76TH LEGISLATIVE DAY

MESSAGE FROM THE HOUSE

April 24, 2018

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 447. The House refused to recede from its action in nonconcurring in Senate Amendment No. 2. The Speaker appointed a Conference Committee composed of Representatives Sargent, Calfee, and Camper to confer with a like committee from the Senate in open conference to resolve the differences between the Bodies on House Bill No. 447.

TAMMY LETZLER,
Chief Clerk

**APPOINTMENT OF SELECT COMMITTEE
CONFERENCE COMMITTEE
ON
HOUSE BILL NO. 447**

The Speaker announced the appointment of a Conference Committee composed of Senators Yager, Chairperson; Dickerson and Kyle to confer with a like committee from the House to resolve the differences of the two Bodies on House Bill No. 447.

MESSAGE FROM THE HOUSE

April 24, 2018

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 1832. The House refused to recede from its action in nonconcurring in Senate Amendment No. 2. The Speaker appointed a Conference Committee composed of Representatives Dunn, Casada, and Stewart to confer with a like committee from the Senate in open conference to resolve the differences between the Bodies on House Bill No. 1832

TAMMY LETZLER,
Chief Clerk

**APPOINTMENT OF SELECT COMMITTEE
CONFERENCE COMMITTEE
ON
HOUSE BILL NO. 1832**

The Speaker announced the appointment of a Conference Committee composed of Senators Norris, Chairperson; Tate and Yager to confer with a like committee from the House to resolve the differences of the two Bodies on House Bill No. 1832.

**REPORT OF SELECT COMMITTEE
CONFERENCE COMMITTEE REPORT ON
HOUSE BILL NO. 2440/SENATE BILL NO. 2025**

The report was received and filed with the Clerk.

**REPORT OF SELECT COMMITTEE
CONFERENCE COMMITTEE REPORT ON
SENATE BILL NO. 1879/HOUSE BILL NO. 1920**

The report was received and filed with the Clerk.

REPORT OF SELECT COMMITTEE
CONFERENCE COMMITTEE REPORT ON
SENATE BILL NO. 1549/HOUSE BILL NO. 1657

The report was received and filed with the Clerk.

MOTION

On motion of Senator Hensley, his name was added as sponsor of **Senate Bills Nos. 5, 1288 and 2333; and House Joint Resolutions Nos. 1271 and 1272.**

On motion of Senators Haile and Yarbrow, their names were added as sponsors of **Senate Bill No. 200.**

On motion of Senator Yager, his name was added as sponsor of **Senate Bills Nos. 777, 1717, 1787, 2380, 2474 and 2561.**

On motion of Senators Massey and Stevens, their names were added as sponsors of **Senate Bills Nos. 1649 and 1865.**

On motion of Senator Massey, her name was added as sponsor of **Senate Bill No. 1759; and Senate Joint Resolutions Nos. 878 and 879.**

On motion of Senators Bailey and Hensley, their names were added as sponsors of **Senate Bill No. 2059.**

On motion of Senator Jackson, his name was added as sponsor of **Senate Bill No. 2262.**

On motion of Senator Harper, her name was added as sponsor of **Senate Bill No. 2287.**

On motion of Senator Reeves, his name was added as sponsor of **Senate Bill No. 2332.**

On motion of Senators Bailey, Crowe, Niceley and Southerland, their names were added as sponsors of **Senate Bill No. 2520.**

On motion of Senators Crowe and Haile, their names were added as sponsors of **Senate Bill No. 2621.**

On motion of Senators Green, Briggs, Gresham, Hensley, Pody, Reeves and Stevens, their names were added as sponsors of **Senate Bill No. 2646.**

On motion of Senators Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager and Yarbrow, their names were added as sponsors of **Senate Resolutions Nos. 216, 217, 218, 221, 222 and 223.**

On motion of Senators Watson, Stevens, Hensley, Dickerson, Gardenhire, Haile, Harper, Ketron, Massey, Norris, Tate, Bailey, Bell, Bowling, Briggs, Crowe, Green, Gresham, Harris,

TUESDAY, APRIL 24, 2018 -- 76TH LEGISLATIVE DAY

Jackson, Johnson, Kelsey, Kyle, Lundberg, Niceley, Pody, Reeves, Roberts, Southerland, Swann, Yager and Yarbrow, their names were added as sponsors of **Senate Resolution No. 219**.

On motion of Senators Kelsey, Ketron, Kyle, Southerland, Tate, Watson, Yager, Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Stevens, Swann and Yarbrow, their names were added as sponsors of **Senate Resolution No. 220**.

On motion of Senators Bowling and Crowe, their names were added as sponsors of **Senate Joint Resolution No. 530**.

On motion of Senator Watson, his name was added as sponsor of **Senate Joint Resolution No. 882**.

On motion of Senator Yarbrow, his name was added as sponsor of **Senate Joint Resolution No. 888**.

On motion of Senators Harper and Norris, their names were added as sponsors of **Senate Joint Resolution No. 964**.

On motion of Senator Briggs, his name was added as sponsor of **Senate Joint Resolution No. 975**.

On motion of Mr. Speaker McNally; and Senators Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager and Yarbrow, their names were added as sponsors of **Senate Joint Resolution No. 976**.

On motion of Senator Harris, his name was added as sponsor of **House Joint Resolution No. 226**.

On motion of Senators Hensley and Lundberg, their names were added as sponsors of **House Joint Resolution No. 741**.

On motion of Senators Harper, Kyle and Yarbrow, their names were added as sponsors of **House Joint Resolution No. 1210**.

On motion of Senator Crowe, his name was added as sponsor of **House Joint Resolutions Nos. 1254 and 1257**.

On motion of Senator Gresham, her name was added as sponsor of **House Joint Resolution No. 1258**.

On motion of Senators Watson and Gardenhire, their names were added as sponsors of **House Joint Resolution No. 1259**.

On motion of Senator Kyle, her name was added as sponsor of **House Joint Resolutions Nos. 1278 and 1280**.

TUESDAY, APRIL 24, 2018 -- 76TH LEGISLATIVE DAY

On motion of Senator Roberts, his name was added as sponsor of **House Joint Resolutions Nos. 1294, 1295, 1296, 1297, 1298, 1299, 1300 and 1301.**

ENGROSSED BILLS

April 24, 2018

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully examined: Senate Bills Nos. 5 and 1649; and Senate Joint Resolution No. 981; and find same correctly engrossed and ready for transmission to the House.

ALAN WHITTINGTON,
Deputy Chief Clerk

ENGROSSED BILLS

April 24, 2018

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully examined: Senate Bill No. 200, and find same correctly engrossed and ready for transmission to the House.

ALAN WHITTINGTON,
Deputy Chief Clerk

ENGROSSED BILLS

April 24, 2018

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully examined: Senate Bill No. 1109, and find same correctly engrossed and ready for transmission to the House.

ALAN WHITTINGTON,
Deputy Chief Clerk

ENGROSSED BILLS

April 24, 2018

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully examined: Senate Bills Nos. 1494, 1873 and 2665; and Senate Joint Resolutions Nos. 960, 961, 962 and 963; and find same correctly engrossed and ready for transmission to the House.

ALAN WHITTINGTON,
Deputy Chief Clerk

ENGROSSED BILLS

April 24, 2018

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully examined: Senate Bills Nos. 1894, 2059, 2119, 2220 and 2448; and find same correctly engrossed and ready for transmission to the House.

ALAN WHITTINGTON,
Deputy Chief Clerk

TUESDAY, APRIL 24, 2018 -- 76TH LEGISLATIVE DAY

ENGROSSED BILLS

April 24, 2018

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully examined: Senate Joint Resolutions Nos. 530, 888, 964, 965, 966, 975, 976, 977 and 981; and find same correctly engrossed and ready for transmission to the House.

ALAN WHITTINGTON,
Deputy Chief Clerk

MESSAGE FROM THE HOUSE

April 24, 2018

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 521, passed by the House.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

April 24, 2018

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 955, passed by the House.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

April 24, 2018

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 1572, passed by the House.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

April 24, 2018

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 1574, passed by the House.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

April 24, 2018

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 1846, passed by the House.

TAMMY LETZLER,
Chief Clerk

TUESDAY, APRIL 24, 2018 -- 76TH LEGISLATIVE DAY

MESSAGE FROM THE HOUSE

April 24, 2018

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 2132, passed by the House.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

April 24, 2018

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 2134, passed by the House.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

April 24, 2018

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 2159, passed by the House.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

April 24, 2018

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 2181, passed by the House.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

April 24, 2018

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 2326, passed by the House.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

April 24, 2018

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 2371, passed by the House.

TAMMY LETZLER,
Chief Clerk

TUESDAY, APRIL 24, 2018 -- 76TH LEGISLATIVE DAY

MESSAGE FROM THE HOUSE

April 24, 2018

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 2626, passed by the House.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

April 24, 2018

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 2082. The House nonconcurred in Senate Amendment No. 2.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

April 24, 2018

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 2106, for further consideration.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

April 24, 2018

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 2381. The House nonconcurred in Senate Amendment No. 3.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

April 24, 2018

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 1285, 1286, 1287, 1288, 1293, 1294, 1295, 1296, 1297, 1298, 1299, 1300, 1301, 1302 and 1303; adopted, for the Senate's action.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

April 24, 2018

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 1304 and 1305, adopted, for the Senate's action.

TAMMY LETZLER,
Chief Clerk

TUESDAY, APRIL 24, 2018 -- 76TH LEGISLATIVE DAY

MESSAGE FROM THE HOUSE

April 24, 2018

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 5, substituted for House Bill on same subject, amended, and passed by the House.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

April 24, 2018

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 200, 619, 777, 797, 1281, 1479, 1588, 1717, 1742, 1795, 1797, 1877, 1890, 1949, 2014, 2201, 2364, 2591, 2603 and 2681; substituted for House Bills on same subjects and passed by the House.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

April 24, 2018

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 1109 and 1583, substituted for House Bills on same subjects and passed by the House.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

April 24, 2018

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 1649, substituted for House Bill on same subject, amended, and passed by the House.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

April 24, 2018

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 1786, substituted for House Bill on same subject, amended, and passed by the House.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

April 24, 2018

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 1787, substituted for House Bill on same subject, amended, and passed by the House.

TAMMY LETZLER,
Chief Clerk

TUESDAY, APRIL 24, 2018 -- 76TH LEGISLATIVE DAY

MESSAGE FROM THE HOUSE

April 24, 2018

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 2165, substituted for House Bill on same subject, amended, and passed by the House.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

April 24, 2018

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 2694, substituted for House Bill on same subject, amended, and passed by the House.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

April 24, 2018

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 1529. The House refused to recede from its action in adopting House Amendment No. 1.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

April 24, 2018

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 1688. The House acceded to the request of the Senate for the appointment of a Conference Committee. The Speaker appointed a Conference Committee composed of Representatives Ragan, Van Huss and Pitts to confer with a like committee from the Senate in open conference to resolve the differences between the Bodies on Senate Bill No. 1688.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

April 24, 2018

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 1879. The House acceded to the request of the Senate for the appointment of a Conference Committee. The Speaker appointed a Conference Committee composed of Representatives Staples, Wirgau and Carr to confer with a like committee from the Senate in open conference to resolve the differences between the Bodies on Senate Bill No. 1879.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

April 24, 2018

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 2025. The House acceded to the request of the Senate for the appointment of a Conference Committee. The Speaker appointed a Conference Committee composed of Representatives Terry, C. Sexton and Jernigan to confer with a like committee from the Senate in open conference to resolve the differences between the Bodies on Senate Bill No. 2025.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

April 24, 2018

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 2705. The House acceded to the request of the Senate for the appointment of a Conference Committee. The Speaker appointed a Conference Committee composed of Representatives Lamberth, Goins, Alexander and Akbari to confer with a like committee from the Senate in open conference to resolve the differences between the Bodies on Senate Bill No. 2705.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

April 24, 2018

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 951 and 958, concurred in by the House.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

April 24, 2018

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 960, 961, 962, 963 and 979; concurred in by the House.

TAMMY LETZLER,
Chief Clerk

ENROLLED BILLS

April 24, 2018

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully compared Senate Joint Resolution No. 978, and find same correctly enrolled and ready for the signatures of the Speakers.

ALAN WHITTINGTON,
Deputy Chief Clerk

TUESDAY, APRIL 24, 2018 -- 76TH LEGISLATIVE DAY

ENROLLED BILLS

April 24, 2018

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully compared Senate Resolution No. 227, and find same correctly enrolled and ready for the signature of the Speaker.

ALAN WHITTINGTON,
Deputy Chief Clerk

MESSAGE FROM THE HOUSE

April 24, 2018

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 3, 132, 1666, 1807, 2068, 2116, 2195, 2202, 2336, 2420 and 2603; for the signature of the Speaker.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

April 24, 2018

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 1080, 1177, 1179, 1180, 1181, 1182, 1183, 1184, 1185, 1186, 1187, 1188, 1189, 1190, 1191, 1192, 1193, 1194, 1195, 1196, 1197, 1198, 1199, 1200, 1201, 1202, 1203, 1204, 1205, 1206, 1207, 1208, 1209, 1211, 1212, 1213, 1214, 1215, 1216 and 1217; for the signature of the Speaker.

TAMMY LETZLER,
Chief Clerk

SIGNED

April 24, 2018

The Speaker announced that he had signed the following: Senate Joint Resolution No. 978.

SIGNED

April 24, 2018

The Speaker announced that he had signed the following: Senate Resolution No. 227.

SIGNED

April 24, 2018

The Speaker announced that he had signed the following: House Bills Nos. 108, 601, 901, 1038, 1140, 1344, 1494, 1551, 1601, 1727, 1793, 1808, 1837, 1856, 1862, 1894, 1905, 1929, 1939, 1981, 1988, 1993, 2024, 2039, 2049, 2052, 2084, 2141, 2161, 2175, 2217, 2220, 2230, 2247, 2250, 2287, 2323, 2325, 2330, 2348, 2432, 2464, 2469, 2526, 2550, 2590, 2637, 2688 and 2690.

SIGNED

April 24, 2018

The Speaker announced that he had signed the following: House Joint Resolutions Nos. 1080, 1177, 1179, 1180, 1181, 1182, 1183, 1184, 1185, 1186, 1187, 1188, 1189, 1190, 1191, 1192,

TUESDAY, APRIL 24, 2018 -- 76TH LEGISLATIVE DAY

1193, 1194, 1195, 1196, 1197, 1198, 1199, 1200, 1201, 1202, 1203, 1204, 1205, 1206, 1207, 1208, 1209, 1211, 1212, 1213, 1214, 1215, 1216 and 1217.

MESSAGE FROM THE HOUSE

April 24, 2018

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 105, 270, 692, 1560, 1572, 1640, 1758, 1866, 1875, 2011, 2012, 2015, 2049, 2067, 2081, 2295, 2312, 2331, 2628, 2662, 2696 and 2706; signed by the Speaker.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

April 24, 2018

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolution No. 978, signed by the Speaker.

TAMMY LETZLER,
Chief Clerk

REPORT OF DEPUTY CHIEF CLERK

April 24, 2018

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have transmitted to the Governor the following: Senate Joint Resolution No. 978, for his action.

ALAN WHITTINGTON,
Deputy Chief Clerk

MESSAGE FROM THE GOVERNOR

April 24, 2018

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Bills Nos. 834, 912, 1512, 1552, 1569, 1701, 1731, 1740, 1773, 1783, 1789, 1803, 1957 and 1998; with his approval.

DWIGHT E. TARWATER,
Counsel to the Governor

MESSAGE FROM THE GOVERNOR

April 24, 2018

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Joint Resolution No. 978, with his approval.

DWIGHT E. TARWATER,
Counsel to the Governor

TUESDAY, APRIL 24, 2018 -- 76TH LEGISLATIVE DAY

ADJOURNMENT

Senator Norris moved the Senate adjourn until 10:00 a.m., Wednesday, April 25, 2018, which motion prevailed.